THE ATLANTA CONSTITUTION.

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COLORED INDIGNATION.

THE EEFECTS OF THE SUPREME COURT DECISION.

The Colored People of Washington to Hold a Meeting of Protest Next Monday—Fred Douglas, Ex-Senator Bruce, and Others Expressing Their Views on the Situation.

WASHINGTON, October 16.—The decision of the supreme court declaring the civil rights act of 1875 an unconstitutional invasion of the rights of the states, has been the subject of much comment here to-day. Several of the most prominent colored men of the district have been interviewed, and have given their opinions as to the moral effect of the decision. Naturally a majority of them express regret that the supreme court has rendered such a decision, and are inclined to regard it as an obstacle to the progress of the colored race. Ex-Senator Bruce, from Mississippi, and present registrar of treasury, declares it a most unfortunate decision, one which will carry the county backwards fifteen years; also that it does not reflect the sentiment of the people of the United States, and is a revival of the theory of states rights. Fred Douglass says the decision places the colored people again outside of the law, and places them, when on steamboats or railroads, or in the theater, restaurant or other public place, at the mercy of any white ruffian who may choose to insult them. Professor Greener says, in view of this decision, every colored man with any self-respect must continue to demand the fullest protection of the law, both as a man and as an American citizen, and that he does not think the civilization of the age can be turned back, even by the supreme court of the United States. At a conference of the colored people of the district to-day, it was decided to hold a meeting on Monday night to express the sentiment of the colored race with respect to the decision, and to consider what course to pursue in view of that decision. Among those who are to be invited to address the meeting are several prominent white lawyers and clergymen, and such colored speakers as Fred Douglass and Professor Gregory,

MASSACHUSETTS POLITICS.

Governor Butler Finds Out That a Woman is Not a "Person."

BOSTON, October 26.—At a meeting of the executive council this morning, the governor nominated Sylvinus B. Pinney, of Barnstable, to fill the vacancy which he alleged existed on the board of health, lunacy and chemistry, claiming that Mrs. Clara S. Leonard has really no place upon the board. The statute provides that the board shall consist of nine persons. The governor asked an opinion of Attorney General Sherman whether a woman was legally a "person," and he replied in the negative. The statute which took effect February 1st, 1882, provided that the present members thereof of the state board, shall continue to hold their offices during the terms for which they were appointed. It was argued in the council chambers that as Mrs. Leonard was acting as a member of the board, this clause legalized her position, and the governor's nomination was accordingly ignored. The council again rejected the nomination of Edward G. Walker, colored, for judge of the Charlestown district court.

THE LILY AND HER MA.

Fred Gebhardt Secures the Services of a Brevet Mother-in-Law—What the Lady Says.

NEW YORK, October 16.—A graceful figure, clad in a tight-fitting, blue cloth traveling dress, the hair in the well known tight knot and curling bang, the face plumper than it used to be, and touched by the sun and sea air into almost ruddiness—such was the appearance Mrs. Langtry presented at the St. James hotel. She had arrived there but a few minutes before, the Oregon, on which she made the passage, having been met at quarantine by the tug John E. Moore, with her manager, Chas. Mendum, Mr. Gebhardt and a few other friends on board. By a special permit Mrs. Langtry and her mother, Mrs. Le Breton, were allowed to disembark from the Oregon, and were brought up to the city on the tug.

Mrs. LeBreton, who was in the room with Mrs. Langtry, is handsome, and young looking to have a daughter of Mrs. Langtry's age.

"I am so glad to be back," said the latter; "and I expect to enjoy my second visit even more than my first."

"Why?"

"Well, in the first place, I have my mother with me, and I cannot tell you how much pleasanter that will make everything seem to me. It is so good for her, for she is a bad sailor, and dreaded the voyage very much. My father had hoped to come also, but at the last moment found he could not spare the time, so he had to content himself with seeing us off. Now I am perfectly honest when I say I am glad to be back again, for I like your country very, very much. Well, then, another reason for the increased pleasure I expect to derive from this season's tour is that I know the people better, and have got used to their ways. Besides I am practically a manageress now, you know, just as it was in England, for Mr. Mendum is only my business manager. So, as a manageress, let me talk business for a few minutes. I think I have done wisely in opening my season outside of New York, for there are to be such strong attractions at the beginning of the season; and, besides, I think I began too early last year. We open in Burlington, Vermont, on October 27, and do not reach New York till January, when I shall bring out what is for America a new play called "Peril." I have brought over all the properties for it, and am going down to the custom house to-morrow to see if I cannot pass them free of duty. I have been in Paris two weeks, getting new frocks, and I think they are something I can be proud of."

"What will you play besides "Peril?"

"'The School for Scandal,' 'She Stoops to Conquer' and 'The Hunchback' will be my main repertorie. I have got entirely new costumes for them all, but 'Peril' is the only play I shall have my own sceneries and properties for. Well, isn't that enough about business? I want to tell you something funny. Do you know I was accused by my friends at home of speaking with an American accent, while here all the critics blame me for my English accent? If I didn't pick up the American intonation, I certainly caught up lots of your slang, and very good slang it is, too. But one uses it quite unconsciously, and it strikes those unused to it at once."

THE EPISCOPAL CONVENTION.

Legislation on the Prayer Book and on the Qualifications for Missionary Work.

PHILADELPHIA, Pa., October 16.—In the Episcopal convention to-day the house of deputies concurred in the action of the house of bishops in adopting the report of the committee of the lectionary. The joint committee on lectionary is no longer in existence It was thought advisable to take a vote by dioceses on the question of retaining twenty-second chapter of Numbers, and the chapter was retained. The house then went into committee of the whole on the joint report of the committee on the prayerbook. A message was received from the house of bishops that they had adopted a resolution to amend article 7, canon 9, title 3, so as to read: "No person shall be appointed a missionary who is not at the time a minister in regular standing in the Protestant Episcopal church, or of some other church in communion with this church; but nothing in this section shall preclude the board of managers from employing a layman or woman members of this church, or of some church in communion with the same, for missionary work." It was referred to the committee on canon.

THE VANDERBILTS

What a Prominent Wall Street Operator Says About Them.

NEW YORK, October 16.—Speaking of Mr. W. H. Vanderbilt's recent interview on the subject of his son's reported losses, the Sun's Wall street article says: There are shrewd old Wall street men, however, who put a very peculiar interpretation on the subject of this interview. They say that the whole thing is a mere maneuvre to cover a retreat; that the young Mr. Vanderbilt did unquestionably lose a great deal of money; and William H. paid it because the loss was made to protect his interests.

A prominent operator, who does not seem to care about the personal attacks of Mr. Vanderbilt upon the bears, said yesterday: "The Vanderbilt dynasty and estate are one, and W. K. Vanderbilt was merely the bait thrown out to induce people to buy stocks by apparently bulling the market. By this means he was to help the 'old man' to sell out his stocks to the large and wealthy following of the young and dashing speculator. But he failed. The attempt was too vast and people were too distressed by the paralysis of trade. Thus the Vanderbilts accumulated more stocks instead of reducing their holdings. Now W. H. takes off the mask and says that he goes into Wall street again to buy stocks. He has not retired; he is loaded, and W. K. Vanderbilt is the vicarious sacrifice for the 'old man's' losses."

STOCKS REPORTED TO BE HELD BY W. K. VANDERBILT.

A prominent Wall street operator says that W. K. Vanderbilt holds the following stocks:

Shares.	Par value.	Actual value
20,000 Erie & Western	$2,000,000	$ 340,000
10,000 Nickle Plate pf'd	1,000,000	130,000
10,000 Nickle Plate com	1,000,000	60,000
5,000 C., C., C. & I.	500,000	250,000
10,000 Texas & Pacific	1,000,000	210,000
15,000 Alton & Terre H'te.	1,500,000	600,000
15,000 Peoria, Dec. & Ev.	1,000,000	100,000
Totals	$8,000,000	$1,690,000

All this, he says, has been hypothecated to margin up his good stock.

THE BUSINESS WORLD.

Failure of Zembrona & Co., the Leading Bankers of Mexico.

GALVESTON, October 16.—A special to the News from Laredo says: A great sensation has been caused here by the announcement of the suspension at Monterey of the great firm of Zembrona & Co., one of the oldest and wealthiest houses in northern Mexico. Their liabilities are placed at $800,000. The effect of the failure on northern Mexico can only be compared to that of Jay Gould in the United States. The firm of Zembrona & Co., is reported composed of Zembrona, Gonzales, Treyinet and Governor Madier. Their business outside of merchandise has extended largely into the purchase of valuable estates and includes many of the largest and finest haciendas in Mexico. The immediate cause of the suspension is said to be the presentation for payment of two obligations amounting in the aggregate to one hundred thousand dollars, which could not be cashed without several days delay. The creditors refused to grant the delay, and the paper went to protest. This produced a panic, and a run was at once commenced on the house by its smaller creditors, which resulted in the firm closing its doors. It is safe to say that the suspension will be only temporary. George W. Frank and Company, of San Antonio, Texas, are said to be among the heaviest creditors.

A dispatch to the News from Cuero says: A. W. Evans, dealer in dry goods and groceries, has suspended. Liabilities, $160,000; assets, nominally, $19,000.

NEW YORK, October 16.—Adler Bros. and Newbaner, wholesale dry goods dealers, 369 Broadway, assigned to-day, giving preferences amounting to $162,110.

OF INTEREST TO INSOLVENT BANKS.

TRENTON, N. J., October 16.—Among the numerous opinions by Chancellor Runyon at the opening of the October term of the chancery court to-day was one of interest affecting officials of insolvent banks. It was in the suit of Ackerman vs. Halsey et al. The suit was brought by the stockholders of the defunct Mechanics bank of New York, against the president and directors of the bank, for neglect and mismanagement of their official duties, whereby the bank was ruined through the cashier's abstraction and misappropriation of the bank's funds. The opinion held that the matter was within the jurisdiction of the court, and that the bank officials were personally liable in equity for the failure and neglect to discharge their duties, and that when a corporation is insolvent, and the receiver refuses to bring suit, the stockholders may maintain it. The demurrer of the defendants was overruled. This opinion will enable the stockholders to bring suit to recover the amount of their losses by the bank officials.

THE SOUTHERN DEAD.

Honors to the Death March of Carolina's Dead Through Virginia.

NORFOLK, Va., October 16.—The remains of the southern soldiers recently disinterred at Arlington, arrived here this morning from Alexandria, and were taken to Raleigh, under the escort of detachments from the military companies of this city and Portsmouth. Minute guns were fired from the time the steamer came in sight until the remains were transferred to the cars. Flags in the city and harbor were at half-mast, bells tolled and hundreds of ex confederate veterans were in line in civic and military procession. Floral offerings were profuse, and the ladies memorial association, of Portsmouth, formed in a procession, when the remains reached that city.

"AT HOME."

RALEIGH, N. C., October 16.—The remains of 126 North Carolina confederate soldiers, removed from Arlington, reached here to-night, escorted by the Suffolk Greys, detachments from the Norfolk Guards, the Norfolk Blues, the Portsmouth Guards, and the Fayetteville Light Infantry. Thirty-two pall bearers, confederate veterans, and the Raleigh Light Infantry met the remains at the depot, accompanied by a tremendous crowd. The military cortege moved to the capitol, where the caskets were deposited in the rotunda. The caskets were profusely covered with flowers. The remains will be interred to-morrow.

Attempt to Wreck a Train.

WHEELING, W. Va., October 16.—An attempt was made to-night to wreck the passenger train at Glen's Run, seven miles above this city. The train was running at the rate of sixty miles an hour, when the engine struck a rail that had been laid across the track. The locomotive jumped into the air, but fortunately fell back upon the rails. The rear cars broke the obstruction and the train was uninjured. If the train had been thrown off the track it would have been thrown over the embankment into the Ohio river, the railroad bed being very narrow at this point.

Arrested for Contempt.

LITTLE ROCK, Ark., October 16.—M. C. Harris, editor of the Hot Springs Horse-Shoe, was arrested to-day by Judge Woods, of the circuit court, for contempt in having published an editorial reflecting on the court for the manner of selecting the jury in the Rugg murder case.

IN THE CONFESSIONAL.

THE SECRET OF A LIFE OF SIN ATONED FOR.

An Embezzlement of Thirty Years Ago Made Good to the Heirs of the Swindled Man—A Romantic Story of Three Continents—The Black-Robed Sister.

PHILADELPHIA, October 16.—"For Mrs. Joseph Ashbrooke." A letter-carrier to-night threw down a heavy envelope with three or four foreign stamps on the upper right hand corner on the marble counter in the office of the Girard house, and hurried away. A clerk tapped a bell. "For Mrs. Ashbrooke," he said, as he tossed the letter to a colored servant, who popped up in response to the silver sound. "A letter for you, Mrs. Ashbrooke," said the servant to an elegantly dressed woman. "A foreign letter!" exclaimed Mrs. Ashbrooke, looking at the stamps and postmark. "It seems to be from Australia." She slowly tore the envelope open and drew out the contents. She curiously unfolded a long and broad sheet of paper, such as she had never received before. Up in the left-hand corner she read in neat, precise little letters, "Bolton & Bolton, solicitors, Melbourne, Australia." The paper began with a formal "Madame" in a cramped hand, and as it went on the writing grew worse, and ended in a long scrawl that the lady took to be the law firm's name again. It was all hard to make out, but some of the word's were clear enough to awaken Mrs. Ashbrook's intense curiosity. She remained at it until she mastered it all. Then, pale and trembling, she called her husband and said: "I have been made an heiress to $25,000 and so, too, has each of my two sisters!"

THIRTY YEARS AGO.

The story that the letter told was a weird romance. Thirty years ago Mrs. Ashbrooke's father, Henry Deven, was the American consul at Rio Janeiro, Brazil. He had in his employ as confidential clerk or agent George W. Anderson, who had been born in Pennsylvania and drifted to South America. Mr. Deven had been living in Brazil for many years and had acquired a large estate. Two daughters were born to him there. Before the one who afterward became Mrs Ashbrooke was born his wife sailed for home and his latest child first saw the light on shipboard. Mrs. Deven had not been at home a month when she received advices that her husband was dead. He had been sick for a few days only. When his affairs were settled up a large amount of money was found to be missing. It could not be traced, nor the amount definitely determined, though it was known that a few days before his death Mr. Deven had a great deal of money in cash on hand. Legal inquiry was made, but without result. The estate was sold out, and the matter forgotten. Mrs. Ashbrooke heard of it in childhood, but it left her mind years ago. She heard no more of it again until the letter from Australia came. The letter recalled it all, and cleared up the mystery.

THE WANDERER'S LIFE.

The lawyers wrote that they had been solicitors of George W. Anderson, who had died in March of this year in a hospital at Melbourne. He had confessed when dying that he had embezzled $42,000 intrusted to him by Consul Deven. After Mr. Deven's death his faithless agent wandered restlessly over the earth. He wound up in Australia. He had gone into the gold diggings and made a large fortune and lost it. He had after that become the owner of an extensive sheep ranch He grew rich again rapidly, but lost heavily in speculations. At last he went into trade. He made money more slowly now, but kept what he earned and put by thousands. Age and privation and the wear of wandering, however, broke down his health. He never married, and was almost friendless in a far-off land. He grew so weak and ill that he was forced against his own desire to enter a hospital. His nurse here was a sister of charity. She was an Englishwoman, who had traveled much upon her mission in other lands. She was the embodiment of cheerful meekness. She talked freely and hopefully with her white haired patient of life on earth and the life beyond the grave. She seemed to him, the solicitors wrote, to be the only friend that he had ever known. He watched her wander in her black gown and wide, white bonnet among the sick beds until his old eyes grew weary. He asked her what made her so cheerful amid her wearisome tasks, and she answered faith and hope. He added charity. She awakened in him thoughts of home.

IN THE CONFESSIONAL.

At his own desire a clergyman was called to his beside after a time, and he was baptized into the communion of the Roman Catholic church. In telling of his faults the embezzlement of thirty years ago found a place. The priest told him that no forgiveness could be had for such a sin until he had made restitution so far as lay in his power. No matter how old the crime, the spiritual director said, reparation must be done. If the man from whom the money had been taken were dead, his children, if living, were, as his natural heirs, entitled to the money. The penitent, full of zeal, said that he would do every thing required. He had a deed of trust drawn up, dividing $75,000 among the children of the man whom he had wronged. Two men during his life had learned of the embezzlement, but had never spoken. He required, as a condition precedent to the payment of the money under the trust, that the fact of the restitution be published, so that he might stand confessed before the world, and his memory be cleared before those men. A few days after everything had been arranged he died, and his solicitors in carrying out his wishes wrote to Mrs. Ashbrooke.

THE FINAL REPARATION.

"Indeed," said Mrs. Ashbrooke, at the Girard house, "I was surprised when I received that strange letter. My mother, I know, had corresponded with Mr. Anderson after he left Brazil, though she never suspected that he had wronged us. He has kept track of us in that way, no doubt, though the correspondence dropped long ago. It will be necessary before I can come into the trust to prove my identity, as I was born after my mother had left Brazil. I never saw him and he never saw—indeed, hardly knew of—me. There were only three children altogether, my two sisters and myself, and Mr. Anderson had known the others personally; but he wished to do justice among us all. Of course, I shall take the necessary legal steps at once to show who I am. The solicitors naturally require that everything be done in regular order. I have not seen the deed, and I do not know exactly where the property is. The chief points of the instrument, however, have been made clear to me, and I do not apprehend any difficulty. Mr. Anderson's will, I learn, has been placed on the file in Melbourne, I should not speak of the matter at all, except that it seems to have been his wish. But be kind to his memory. Do not say more than is necessary. Poor man! How thorough must his conversion have been, how strong his faith, to lend him the courage to do these noble things!"

"What becomes of his fortune beyond that which he has left to you and your sisters?"

"Beyond that? There was no more. He gave up everything for justice's sake."

THE TRAGEDY OF AN INSULT.

LOUISVILLE, October 16.—To-night Frank Rankin shot and killed Martin Cody at Peter Bitzer's saloon, in this city. Rankin insulted Cody's sister several years ago, which Cody resented by knocking him down with a brick. Rankin this evening went into the saloon, Cody being engaged in the front room painting the building. Rankin on leaving the saloon passed Cody, who had gone outside for some purpose. A shot was heard and Cody fell dead. No words were heard between them. Rankin is a man of family, aged about fifty. His son has just been tried and acquitted of the murder of a policeman in Jeffersonville. Cody was a single man, aged about thirty five. Rankin was arrested.

DROWNING HERSELF IN DESPAIR.

The Evil Done by an Indecent Ballad in a Girls' School.

TRENTON, N. J., October 16.—This forenoon the body of a young colored girl, Mamie Gordon, age 15, was found in the Delaware river, at the foot of Fall street. There was at first suspicions that she had been the victim of an indecent assault and thrown into the river, but subsequent developments led to the belief that the girl had committed suicide. It was ascertained that she attended the Centre street public school, and that for several days she had been in a state of trepidation, owing to a threat by the principal professor, Thomas M. White, that he would inform the parents of several girls who were members of a class in Miss Blair's room of their having had in their possession an indecent parody upon the song "Over the Garden Wall." On Tuesday the improper sheet was found by the teacher, and she at once handed it to the principal, who made inquiry, which resulted in the suspension of several of the class. It subsequently turned out that the suspended pupils were not the guilty ones, and a threat was made that unless the offender was informed on the parents of several girls who were suspected would be informed.

Mamie Gordon, when she returned to her home from school on Friday, was exceedingly nervous, and told her brother, a lad a year older, that if Mr. White informed her father she would commit suicide. She asked whether any letter had been sent to the house from the school, and after supper inquired of her brother if her father had received a note. He said he thought not, and after a while she went out, saying: "I won't stand this any longer. I will drown myself or get out of the way." Her brother did not heed the threat and thought nothing of it until about 10 o'clock, when finding that she did not come home, he told his parents of the trouble and the threats. The police were notified and the morning papers contained a report of the girl's disappearance.

County Physician Lalor, at the request of the parents, made an examination of the girl's body when it was found, but discovered no evidence of violence, and he is satisfied that death resulted from drowning. The girl was a good-looking light mulatto, and was an unusually intelligent and apt scholar. Her father is one of the most respectable of the colored population of Trenton. The affair has created much excitement here, and every effort is being made to discover who introduced the indecent ballad into the school, with a view to tracing it to the publisher.

DEAD AT THE SAME MOMENT.

A Terrible Tragedy in a New York Thieves' Resort—Rejoicing Among the Police.

NEW YORK, October 16.—In a saloon on the Bowery, kept by Shang Draper, himself a burglar, and his place a thieves' resort, a fight occurred about two o'clock this morning, between John Irving, of Patchen avenue burglary notoriety, and "Jack" Walch alias "Jack the Mick," one of the accomplices in the robbery of Jacob Ruppert's bank messenger two years ago. Each shot the other dead at the same moment. The affair has caused general rejoicing in police circles. Other thieves and stragglers who were in the saloon at the time of the shooting were arrested. Among them was "Billy" Porter, Irving's "pal" in his crimes and in their escape from Raymond Street jail, Brooklin, where they were confined for the Patchen avenue burglary. They were both drunk and had quarreled over some of their business affairs, until each at the same moment drew a revolver and fired and each fell dead without drawing a second breath. Irving was shot through the brain and Walsh through the heart. The only regret among those who knew the party seems to be that Porter and others of the companions of the dead men did not imitate their example. The two dead men have been among the boldest criminals in New York for many years and have caused the courts and police endless trouble.

The coroner's examination has developed the fact that Irving was the aggressor, and that several shots were fired before the simultaneous discharge that killed both combatants. The police found in Billy Porter's pocket, when he was arrested, a revolver, three chambers of which were empty. It is thought from the fact that he participated in the shooting, and that it was the result of a deliberate plan to kill Walsh, who was in the way. It is known that Irving and Walsh, who had been "pals," quarrelled about the division of the plunder at one of their robberies. Several witnesses before the coroner swore that, though Porter was present at the shooting, he did not participate in it. Porter is held pending the result of the inquest of Friday next.

SUICIDE OF A MOBILIAN.

A poorly dressed man, aged about 45, was found dead in a room in a cheap lodging house in the Bowery. On the table were two empty vials, one of which had contained laudanum and the other morphine pills. He had registered as C. C. Cutler, of Mobile, Ala. In the room was found a note reading: "Notify D. W. Blake, of the Domestic Sewing Machine company. He will know how to act. Scott." In the dead man's pocket were found twelve pawn tickets.

SPORTS OF THE DAY.

The Events in Washington, Brighton Beach and Other Places.

WASHINGTON, October 16.—The first day of the fall meeting of the National jockey club at Ivy city. First race, one mile, Aranza won, Brads second, Homespun third; time 1:44½. The second race, Washington stakes for two-year-olds, three-fourths mile, Leo won, Relat second, Welcher third; time 1:17. The third race, Washington stakes, all ages, sweepstakes, mile and a quarter, Parole won, Rica second, Colonel Sprague third; time 2:10. The fourth race, selling race, all ages, five furlongs, Bieze won, Wandering second, Burch third; time 1:01¾. The fifth race, handicap hurdle race, mile and a quarter, over five hurdles, Gath won, Buster second, Beaver Wyck third; time 2:35.

BRIGHTON BEACH.

NEW YORK, October 16.—In the second race Butler was nearly trampled to death, and in the last race John Hamilton fell on his jockey, Ford. First race, purse $250, three-quarters of a mile, Vibrator won, Charley Fisk second, Bradford third; time 1:17¾. The second race, $250, three-year-olds, three-quarters of a mile, Bonaieretta won, Black Gal second, Exeter third; time 1:18½. Faugh-a-Ballagh, Mignon, Laura, G. Comet, Lottie H., Little Katie and Ben Wooley also ran. The third race, purse $250, selling allowances, 1⅛ mile, Dan D. won, Lillie Dale second, Marshal third; time 1:59½. The fourth race, purse $250, all ages, mile and furlong, Pilot won, Babcock second, Vexation third; time 1:59. Harry Mann also ran. The fifth race was declared off. The sixth race, purse $250, steeple chase, welter weights, selling allowances, short course, Brede Cake won, O'Detto second, Puritan third; time 2:45.

THE STOLEN NOTES.

THE MUNICIPAL SENSATION OF ST. LOUIS.

Publication of the Testimony Taken From the Stolen Notes of the Evidence Against the Gambling Ring—How Prominent Officials Performed Public Business.

ST. LOUIS, October 16.—The Post Dispatch continued its revelation of the testimony before the late grand jury as to the gambling ring and the police department. It prints to-day ten columns of evidence. Thomas Tutt, president of the Third National bank, testified that he demanded the blank resignation from two gentlemen, who could have been appointed police commissioners on that condition, but they refused, and that the suggestion of a blank resignation originated solely with Governor Crittenden, for his use. Charles Greene, president of the fair association, telegraphed that Mr. Tutt demanded a blank resignation from him for the governor, but he refused. Ex-police Commissioner Boland testified to the same facts. In the court of appeals to-day an application was made to compel the police board to produce the records of the last meeting and asking the court to reverse the board's action in ousting Chief of Police Campbell, without preferring charges After the case was argued, the court determined to issue a writ of certiorari directed to the members of the police board, commanding them to show cause why their action in removing the Chief of Police Campbell, should not be reversed.

ALABAMA EVENTS.

A Gentile Maiden Joins the Daughters of Israel—Cotton Burning.

Special to The Constitution.

MONTGOMERY, October 16.—An impressive ceremony took place to-night at the residence of Rabbi Hecht, the Jewish minister. Miss Annie S. Crabbe, of Dadeville, Tallapoosa county, desirous of embracing the Jewish faith, has undergone a course of religious instructions under Rabbi J. Hecht's direction, for the last six months. Having passed an examination before the minister, and he being satisfied, she was requested to make a public declaration of her faith, in the presence of several assistants, which she did in the most emphatic and earnest manner, whereupon Miss Crabbe was duly and most solemnly declared and received into the faith and congregation of Israel, and named Hannah. Rabbi Hecht's remarks on the occasion were most practical and eloquent. After the benediction and declaration the young Jewess was congratulated by friends and relatives assembled. Miss Crabbe is a beautiful brunette, of eighteen, and took this important step after due deliberation, on her own free will and in accord with the consent of her parents.

RELIEF FOR BREWTON.

Our citizens raised and forwarded six hundred dollars for the relief of the sorely distressed yellow fever people at Brewton. The suffering there is great and assistance is badly needed.

COTTON ON FIRE.

A fire at the railroad depot platform at Union Springs, burned eighty-three bales of cotton to-day.

Three carloads of uncompressed cotton, from Pensacola to New Orleans, burned on the sidetrack at Pensacola Junction, on the Mobile and Montgomery railroad, believed to be incendiary.

A severe wind storm occurred about 4 p. m. to-day, three miles south of Williams' station on the Mobile and Montgomery railroad. The north bound train blew a tree across the second-class passenger coach, injuring two passengers slightly, one seriously. His name is Newton J. Shirley, from near Frena, Hill county, Texas, on his way to Cannon county, Tennessee; slightly hurt J. D. Rush, from Bell county, Texas, on his way to Owen county, Tennessee. The railroad authorities have provided for them.

THE FLORIDA PRESS MEN.

Governor Bloxham, of Florida, with his staff, also the Florida press association, passed through to-night en route for the exposition at Louisville. Having passed through Pensacola they were not permitted to leave the train, but were provided with supper in the cars.

Three new cases and three deaths are reported at Brewton to-day.

SABBATH SARCASM.

Connecticut People Arrested for Driving on the Sabbath.

NEW HAVEN, Conn., October 16.—A. L. Babcock, of A. L. Babcock & Co., a rich carriage trimming manufacturer of this city, was arrested to-day while out driving with his wife near this city, and accused of breaking the Sabbath. The charge is bronght under the old "blue laws" enacted in the early part of the last century. Mr. Babcock when arrested was taken to the farmhouse of Henry Platt in East Haven, one of the constables making the arrest. There he found nearly a score of other prisoners all in custody for the same offense. The officers making the arrest acted under the direction of Grand Juror Thompson, of the town of East Haven, to whom complaints had been made by residents of the hamlet of Foxon, that people from New Haven were continually breaking the Sabbath by driving through that place, much to the annoyance of its good people. Nearly all the prisoners were accompanied by their wives or sweethearts, who were arrested as participants in the crime, and there were loud complaints of ill-treatment. They had been crowded together like so many cattle during the entire afternoon in a barn yard, rain falling during a part of the time. In the evening they were arrainged before Justice Tuttle, and all who could not give security in $25 to appear for examination to-morrow afternoon were locked up. No carriages were stopped by the officers making the arrests. In every instance they took their prisoners at a point on the Foxon road where nuts from a group of hickory trees had fallen thickly upon the ground. Whenever a man left his wagon to pick up the nuts he was arrested and marched off to Constable Palmer's pound.

AN EAST TENNESSEE COLLISION.

Three Men Killed and Several Wounded—An Operator's Fault.

CHATTANOOGA, October 16.—Last night at 11 o'clock on the East Tennessee, Virginia and Georgia railroad, two freight trains collided four miles west of Cleveland, Tenn., while running at a high speed. The killed were Engineer John Blyly, Fireman William Clampett, Brakeman Lee Ghan. The injured were, James Turner, engineer, slightly hurt by jumping; Eli Wilson, fireman, leg broken; Frank D. Armond, conductor, leg broken; a colored brakeman, jaw broken and severe injuries on the head; a tramp stealing a ride had an arm broken. The engines were nearly demolished, and several cars were damaged. A telegram had been sent to Cleveland, ordering the west bound to await the arrival of the east bound train there, but the operator neglected to deliver the order, though the conductor was in the telegraph office. The trains met at a sharp curve in a deep cut, and the engines were within a few feet of each before the terrible fate was known to the engineer. The operator was considered one of the most trustworthy on the line. It was nearly daylight before the news of the accident was made known at Cleveland.

THE WORLD ABROAD.

The Antagonistic Irish Meetings—A Criminal's Confession—Trichinosis in Germany.

LONDON, October 16.—A league meeting at Roslea, county Fermough, to-day was addressed by Messrs. Healy, Sullivan and Biggar, members of parliament. Michael Davitt, who had been expected to attend, was absent. A meeting of Orangemen was held at the same time. A collision between them and the Parnellites was prevented by a force of police and soldiery. The Orangemen, at their meeting, resolved to do their utmost to "resist the attempt to place Ireland under the government of murderers and rebels."

A CRIMINAL'S CONFESSION.

George Warden, the defaulting manager of the London and River plate bank, made a full confession of the manner in which he abstracted and disposed of the bonds deposited in the bank. The arrest and imprisonment of Walters, a stock broker, was owing to the statements made by warden, implicating him in peculation. Walters has been committed for trial.

AMERICAN BACON.

PARIS, October 16.—Prime Minister Ferry, in a speech delivered at Havre yesterday, foreshadowed the withdrawal by France of the present embargo upon the importation of American bacon.

THE SOCIALISTS.

LONDON, October 16.—A foreign socialist, with a forged passport, has been arrested at Reval by the Russian officers, and taken to St. Petersburg. At Olmutz, Moravia, the trial of 18 socialists upon the charge of high treason has begun.

TRICHINOSIS IN GERMANY.

LONDON, October 16.—An outbreak of trichinosis is reported at Ermsleben, Prussian Saxony. One hundred and eighty persons are suffering from the disease, and four deaths therefrom have occurred.

SUPPRESSING DISORDER.

LONDON, October 16.—A dispatch to the Exchange telegraph company from Paris says the government has resolved to act energetically against all agitation. The manager of the Drapean Noir, an anarchist journal of Lyons, has been arrested, and similar measures toward the proprietors of papers of a like character are expected to be enforced in Paris.

GALES ON THE COAST.

Violent gales prevailed on the English coast last night, and continued to day. Several wrecks of vessels, with a loss of life, have been reported.

THE SWITCHMEN'S STRIKE.

A General Freight Blockade Probable in East St. Louis.

ST. LOUIS, October 16.—It appears that the switchmen in East St. Louis did not serve formal notice of their action on the officers of the companies, but sent unsigned notices to station agents of the different roads. The men in the Chicago and Alton yard have been getting Chicago wages; but they joined the strikers out of sympathy, and say they will stand out till the demands of the strikers are acceded to. The men on this side of the river also acted out of sympathy with the strikers, and they state that they have no grievances, no fault to find with their pay. The Ohio and Mississippi road being in the hands of a receiver, and under the protection of the United States court, several United States deputy marshals arrived at East St. Louis last night, from Springfield, with instructions from the United States district attorney to arrest everybody who attempts to interfere with the transactions of business on the roads. This may have a salutary effect on the strikers, and indications are that no violence will be resorted to. Some apprehension is felt that a freight blockade may occur at East St. Louis as a result of the strike, but none of the railroads have as yet refused to receive freight. The managers of the railroads have decided not to yield to the demands of the strikers or to compromise. They are bringing men from the country to fill the strikers places. The strikers are holding secret meetings.

THE MACON NOTE-BOOK.

An Accident on Pate's Creek Trestle—An Alarm of Fire—Highwaymen at Work.

Special to the Constitution.

MACON, October 16.—The accident which happened this morning at Pate's creek trestle, on the East Tennessee, Virginia and Georgia, came near being serious. Light's gang were handling heavy timbers. A lever slipped, and caused one of the pieces, weighing 500 pounds, to fall on Robert Williams, one of the workmen, who was severely bruised.

An alarm of fire was sounded this afternoon, and was discovered to have been in the Kimball house, corner Fourth and Cherry streets. During the excitement the horses attached to a dray belonging to A. B. Farquhar & Co. became frightened and ran away, throwing the driver, Ben White, violently on the ground, injuring him severely. He was picked up in an unconscious state. Mr. Jas. Johnson was also knocked down and severely bruised.

ATTACKED BY ROAD AGENTS.

While Mr. Chas. Mere was going home last night he was attacked just beyond Vineville branch by three men for the purpose of robbery. He gave fight and they became frightened and ran away. No clue to their identity.

A CAROLINA TRAGEDY.

One Man Killed, Another Wounded, And the Perpetrator Lynched.

CHARLOTTE, N. C., October 16.—A large crowd gathered at Statesville Monday to witness the circus. Many of the visitors were from Wilkes and Alexander counties, and some come in wagons from long distances, camping out on Saturday night. A white man named Ryan was badly beaten by a negro, whose name is unknown. Bad feeling existed in the crowd. On Monday a white man named Redmond quarrelled with a negro named Campbell, who fired three shots, killing Redmond instantly, the second bullet going through his heart. The first shot struck a bystander named Tom Ball, inflicting a painful wound. Campbell was arrested. Last night after midnight about 30 masked men took Campbell from jail and hanged him to a tree. They did their work so quietly that the occurrence was not known generally until Campbell's body was found dangling to a tree at daylight. Everything is quiet now.

WILMINGTON, N. C., October 16.—A quarrel between Asa Smith and John W. Hill on Saturday night, in Waccama township, Brunswick county, resulted in Hill being fatally stabbed, dying in a few minutes. Smith escaped.

A DISTRESSING ACCIDENT.

Two Children Killed and Two Persons Fatally Injured.

CONNELLSVILLE, Pa., October 16.—This afternoon a distressing and fatal accident occurred on the Baltimore and Ohio railroad a few miles from here. A young lady named Curran and three children named respectively Dan and Mary Farrell and Alice King had gone out for a walk, and while coming along the railroad track the little party stepped off one track to get out of the way of a southbound freight and were struck by the Mt. Pleasant accommodation coming in the opposite direction. Two of the children were killed instantly, and Miss Curran and the other child were badly hurt and will probably die.

GEORGIA GOSSIP.

SHORT TALKS WITH THE SCRIBES OF THE COUNTY PRESS.

A New Editor—Tragedy Brought to Light in Walton County—A Negro's Head Jammed Up—lck d to Death by a Horse—A Monster Rattlesnk.

THE CONSTITUTION has lost one of its most respected attaches, who goes, however, to add to the make up of another journal. Mr. Talmage Richards will hereafter have an interest in the Covington Star, which he proposes must in future shine for all. Mr. Richards knows what news is when he sees it, and this the readers of the Star will soon find out.

Dr. J. R. Stodghill, of Atlanta, has been to Cedar Rapids, Iowa, where he was united in marriage with Miss Meta C. Hess. Thus do the two states come into closer union.

Robert McMurray, of Baker county, was kicked to death by a horse on Wednesday morning last. McMurray was at the home of his brother, and started into the stable to bridle his horse. As he entered the door the horse gave him a fearful kick with both hind feet, producing death almost instantly.

Emanuel county is developing the mule industry.

E. O. Bostick, of Sandersville, has assumed editorial control of the Wrightsville Recorder.

Waynesboro Citizen: A negro boy, some 18 or 19 years old, son of George Jones, was careless enough to get his head jammed between the lever and upright post of a syrup mill last Wednesday, in which collision his ear in some way got hung in the machinery, and he brought it away with such a jerk as to nearly tear it from his head—leaving it attached only by a narrow strip. It appears that he was running the mill alone, with a mule attachment. When he found himself entangled, he sounded a vehement "whoa!" and the mule stopped just in time to prevent the crushing of his head. He came to town and engaged the services of Drs. Johnson and Duncan to patch him up, which they did by taking eight or nine stitches to fasten it back to his head.

Eatonton Chronicle: The Yazoo fishery, on Oconee river, is one established many years ago, where the first settlers caught numberless of the finny tribe, among which was the luscious shad. This fishery has not been kept up, still it is the place for fish in abundance. E. F. Elliott caught, no longer than two years back, a sturgeon weighing 190 pounds. With proper attention to fish culture the streams of Putnam could again be filled with the rarest kind, and the people could feast as in days of yore. There are several fish ponds in the county, among which Dr. H. H. Cogburn, in the northern portion, and Dr. Brown, of the city, have the most attractive. Mr. J. W. Maddox also has one which begins to yield an abundance of fish. These ponds are stocked with the carp which now create so much newspaper talk all over the state. The legislature could do nothing more to the interest of the entire people than to pass laws encouraging fish culture and making necessary appropriations for stocking the streams in the state.

Augusta News: It will be pleasing information to his many friends in Augusta to learn that Rev. Dr. W. E. Boggs, of the Columbia theological seminary, will in future give a part of his time to ministerial work in this community. He has engaged to undertake the mission work on the hill and at the new church now being erected near the Sibley mills, and he will divide his time between this work and his chair in the college at Columbia. His duties at the seminary are so arranged as to give him opportunity for this work. The announcement to this effect was made in the First Presbyterian church yesterday, and the regular services at the Reid Memorial church, on the hill, will be resumed. The Sunday school, too, will be reopened, and Dr. Boggs will renew the interest and pleasure in all these exercises, which have been discontinued for some time.

Gainesville Eagle: The skin of a monster rattlesnake has been sent us, killed not long since by J. R. Gaston in the yard at the Davis place. It is surprising that so many of these poisonous reptiles are being killed in such frequented places and no bites resulting. We think we have recorded the killing of a hundred this year, and many of them in the very yards of the killers. One cannot be too prudent when these snakes are in season.

Dooly Vindicator: Mr. Tom Wood killed a rattlesnake a few days ago five feet in length, which contained sixteen small snakes about one foot long, each having one button.

The Walton News gives some further particulars of the crime of Henry Curry, in that county. The arrest of Curry and the interesting details were fully given in THE CONSTITUTION several weeks ago. The News says:

Just one year ago to-day one of the most horrible murders ever perpetrated was committed in this county, some three miles below Social Circle, near the residence of Mr. Robert J. Green. Henry Curry and Powell Reid were rivals. Both were seeking the affections of Caroline Harris, a notorious lewd mulatto woman. The two men met at her house on the night of the 17th of October and slept together. About sun-up the next morning, while Reid was still asleep, Curry got up and struck him three terrible blows on the head, each sending the ax up to the eye into the skull of the sleeping negro. Reid died and Curry made his escape. He had threatened the life of another negro man, and it was through this man that Sheriff Ammons worked in order to capture his man. A few weeks ago Curry came to Atlanta and sent for the woman, Caroline Harris, to come to Atlanta. The sheriff was notified of her departure and followed her to Atlanta. Curry heard of the sheriff's presence and skipped out. A negro woman in Atlanta, who knew of Curry's flight and his new place of abode, was lodged in the city prison for stealing. She told the officers if they would help her to get out of prison she would tell them something they wanted to know. By close questioning they found out she knew where Henry Curry was. Sheriff Ammons was sent for and the stealing case was made up, and the woman told him Curry was at Darlington, S. C. The sheriff of that county was telegraphed to arrest him, which was promptly done. A requisition was obtained for him and he was promptly and safely escorted to jail in Monroe by Sheriff Ammons. At Madison, Rutledge and Social Circle large crowds of negroes, who knew of his terrible crime, surrounded the sheriff and his prisoner, and were loud in their abuse of the guilty man and equally loud in their praise of the faithful officer who has thus run down and caught one of the worst of criminals. One old negro asked for the privilege of tying the knot around his neck. Curry confesses his guilt to everyone. He says he hit him three blows with the ax, while asleep, but says Reed threatened to kill him, and he thought the best time to kill him was while he was asleep. He pleads self-defense, but he will never induce twelve jurors of Walton county to say by their verdict that anything less than twenty minutes' suspension by the neck shall be the penalty for such a brutal crime. Jealousy caused the crime, and its horrible details only show to what depths a depraved negro will go in order to wreak his revenge.

Captain E. G. Barney died very suddenly in Eatonton, Ga., last Sunday. He was in Rome a few days since and went to Eatonton to visit his son who is teaching school at that place. Captain Barney has been a large railroad contractor—built the road from Blue Mountain to Dalton, and for the past ten years has been employed in South America. He leaves hosts of friends throughout the railroad circles of the United States. He was a man of great energy.

At a meeting held at Worth, Ga., recently the following resolution was adopted: "That, inasmuch as the commercial fertilizers used this year have been of no benefit to those of us who have used the same, and feeling that it would be injustice on the part of manufacturers to demand payment for an article utterly worthless, we decline and refuse to pay for any guano used by us, unless forced to do so by judgment of the courts of our country." The farmers maintain that they should not be forced to compensate for an article which has resulted in injury to their interests rather than benefit.

Thomasville is rushing her new hotel, and hopes to have the new structure in readiness for guests by January. Three months is a short time in which to build a hotel.

The approaching exhibits of the Thomas county stock breeders' association (on the 15th and 16th of November, at Thomasville), now bids fair to be splendid.

Rome Courier: A negro man, name unknown, was run over and killed by a train on the East Tennessee, Virginia and Georgia railroad between Briarfield and Montevallo, last Saturday.

Calhoun, Georgia.

DICK BARNES ACQUITTED.

Special to the Constitution.

CALHOUN, October 16.—The trial of Dick Barnes, charged as an accessory before the fact in the murder of Lela Lewis, has just ended, and Dick discharged for the want of testimony. Margarett Harris was sworn as a witness against Barnes and said that her statement implicating him or any one else was false. She fully corroborated the statement sent THE CONSTITUTION yesterday morning in her testimony as to why she made a confession or charged any one with having anything to do with the matter in any way. She denied having anything to do with, or knowing anything about, the poisoning. Said she knew she was to be hanged in a few days, but that she was telling the truth. The motion for a new trial for Dukes will be heard some two weeks hence at Bartow superior court, and it is the impression of a great many that he will be granted a new hearing. Margaret's testimony to-day is rather strange, and has produced in the minds of some few people, at least, a doubt as to her guilt, though a majority of those who have heard or know the history of the case, think that she spoke the truth on her trial, and that she and Dukes are guilty, and the sentence of each should be executed, as they now stand. Unless executive clemency is extended, Margaret is very apt to swing on next Friday, the appointed time; at least Sheriff Taylor is making preparations to that end.

Tallapoosa, Georgia.

DISORDERLY PROCEEDINGS.

Special to The Constitution.

TALLAPOOSA, October 16.—There are near this place a few parties, to-wit: Three of the McDowells and one or two of the Manns, who have been a terror to the peace and quietude of this place. They come in the night and cut up generally, and manage to evade the marshal. On Saturday night they reached the climax by gathering in the new town, and about 2 o'clock they went to the calaboose in the old town and "give her a lift" and set it on end. They tore down a fence and used it to prize on to upset the building. They did not damage it much—only knocked a small hole in the back end. They were recognized by some parties while at work, and there is a strong probability of their being dealt with. Sheriff John K. Holcombe has arrested Chess and James McDowell, and now has them under guard. They doubtless will be bound over to court to-day.

FINGERS CUT OFF.

Mr. James Ayres, while at work at Mr. H. M. Martin's saw mill, got his left hand badly cut by the saw Thursday. He will lose his forefinger entire.

There was an election Wednesday for two new councilmen. Mr. C. E. Head and Seaborn Jones were elected.

Lawrenceville, Georgia.

A SOCIAL RECEPTION.

Special to The Constitution.

LAWRENCEVILLE, October 16. — Yesterday quite a happy little crowd gathered around the festive board at Mr. Born's hotel, the guests of Mr. J. E. Brown and lady, who had just returned from a trip to Louisville, Cincinnati and other western cities. The bride was Miss Essie Johnson, of Tennessee, a beautiful and pleasant young lady, and the groom is the polite and kind conductor of our little road. They met each other in Chattanooga, and then and there they became one, and from there henced west. Mr. Brown is very popular with the Richmond and Danville authorities and a much better position than he now has awaits his demand.

The Rome and Dalton road works seven hands from this place.

Estes and other revenue men from Gainesvilles swooped down on a Mr. Williams, in Ben Smith's, last night and cut up two stills, one worth $125 and the other $150, tore down the stand and seized a large amount of whisky.

Rome, Georgia.

STRUCK A ROCK.

Special to The Constitution.

ROME, October 16.—As the steamer Joel Marable was last night crossing the shoals, near Shorter island, four miles from Rome, she was caught on the rocks and sustained some injuries, though none serious. The accident was occasioned by the extremely low waters. Our rivers are lower than ever before known at this season, and steamers cannot make schedule time.

A BIG SUIT.

The superior court is occupied with the trial of the case of Elizabeth Harris against the East Tennessee, Virginia and Georgia railroad for $20,000 damages for running over and killing the plaintiff's husband.

George Spear, of Charleston, and Fanny Lester, this city, were married this evening.

Warrenton, Georgia.

Special to The Constitution.

WARRENTON, October 16.—The quiet waters of our town were disturbed last Saturday by the firing of a large lot of cotton on the platform at the depot by a passing engine. Fortunately there was a large crowd in town, and they soon scatterod it, but not before a great deal was burnt and injured. Most of it belonged to Walker & English.

FELTS GIVES UP.

Mr. George Felts, who, it will be remembered, shot and killed Peter Broomfield, two months ago, came in yesterday and gave himself up, and is now cosily lodged in jail, awaiting his trial at the adjourned term of court next month.

The holiness conference convenes here next week.

Canton, Georgia.

DEAD.

Special to The Constitution.

CANTON, October 15.—Mrs. Barton, mother of W. M. and William Barton, of this place, died last Saturday evening. Her funeral was preached at the Methodist church yesterday evening by the Rev. N. N. Edge, to a very large congregation. She was one of our oldest citizens, being in her 87th year, and was an exemplary Christian lady.

Judge James R. Brown has bought the old "Watson place," of B. G. Payne, of Dallas, Ga., and begun tearing down the old house preparatory to building a neat brick house, for his son George B. Brown. J. M. McAfee will put up the building at once.

Rabun County, Georgia.

DIPHTHERIA.

Special to The Constitution.

TALLULAH, October 16.—Diphtheria prevails in and about Clayton, Rabun county. Mr. Joseph Clyde and Lucien Garland have each lost three children by it. The first named had one child a corpse, a birth, and two children at the point of death at the same time.

The president's son can tell almost as good a fish story as his father.

In a country village a corner loafer is the autocrat of the town.

A fourteen-year-old boy ghs two hundred and ninety poun s given up spanking him.

If it be true that old Noah put his ark on ice, he "builded better than he knew."

GEORGIA BY WIRE.

THE HAPPENINGS OF A DAY CAUGHT BY LIGHTNING.

Riotous Demonstrations in Tallapoosa—Upsetting a Calaboos—Prevalence of Diphtheria in Rabun County—Improvements in Different Parts of the State—Other News.

Special to The Constitution.

HAWKINSVILLE, October 15.—Drouth still prevails here. Peas, potatoes, sugar cane and fall gardens are almost an entire failure; streams drying up, wells failing, with no end to dust. Health of the town good considering the surroundings.

Union Springs, Alabama.

SMALLPOX DEVELOPED.

Special to The Constitution.

UNION SPRINGS, October 16.—One case of varioloid has been discovered here and was removed to an isolated pesthouse. A cordon has been established around the house where the case originated. All the exposed persons were arrested and placed in quarantine. There is no apprehensions of its spreading.

Athens, Georgia.

CAUGHT A 'POSSUM.

Special to The Constitution.

ATHENS, October 16.—The Athens hunters caught a 'possum in Reeves, Nicholson & Co.'s warehouse.

Some one is setting fire to bales of cotton left on the back streets.

The water was turned out of the Hope steamer by unknown parties.

Rev. Sam Jones only collected one hundred and five dollars for the orphan's home.

Judge Cobb fined a negro for disturbing worship.

Thomaston, Georgia.

ILLICIT MEN ARRESTED.

Special to The Constitution.

THOMASTON, October 16.—United States Marshals Weld and Lowenthal have just arrived here from the country, in charge of Arrant Dawson and Dave R. Chatfield, both of whom were arrested about twelve miles below here in this county, and under a warrant which charges them with selling whisky without license. Arrant Dawson gave Marshal Weld the slip, but was afterward captured by Lowenthal, who pointed the mouth of a United States marshal's pistol at him and demanded a halt. The whole delegation left this evening on the down train for Macon.

Savannah, Georgia.

CYPRIANS ARRESTED.

Special to The Constitution.

SAVANNAH, Octoher 16.—Mary Delyons, a cyprian, and four inmates of her house, were arrested but released on bail, charged with the disposal of the money stolen from the store of Henry Renkin a few days ago. The charge was preferred upon the confession of one Williams, a negro, who stated that he had deposited the money under a bed in Delyons' house.

The drug store of Dr. Gallager, corner Habersham and Charleston streets, was burglarized last night.

A German sailor named Strohmer was arrested here yesterday, charged with deserting from the steamer Asia.

Madison, Georgia.

Special to The Constitution.

MADISON, October 16.—Among the recent acquisitions to our town is Mr. W. W. Clark, a young gentleman who has just been admitted to the bar.

A COOKING CLUB.

A cooking club has been formed in Madison. Miss Yula Reese is the president. The meeting this evening is at the residence of Judge Reese.

COTTON.

Cotton is bought in Madison and shipped to Athens. The trade with Athens by wagons from Madison has been considerable for many years, but the railroad now carries the greater part.

Mr. W. A. Boughton is building a fish pond.

Augusta, Georgia.

A NEW PUMP.

Special to the Constitution.

AUGUSTA, October 16.—The city authorities have decided to purchase a new pump for the waterworks with a capacity of three million gallons per day. This was absolutely necessary as the present pump is entirely too small to supply the needs of the city. It is also proposed to make an addition to the waterworks.

FIRE

A fire near Sibley mills this morning, in the new portion of the city, destroyed a store and dwelling belonging to J. F. McLaughlin. The loss is about $2,500, and the insurance $2,000. The fire department was unable to cope with the flames, owing to the lack of water.

Beecher is here to-day and will lecture to-night but will not have a crowded house.

Toccoa, Georgia.

NEW BUILDINGS.

Special to The Constitution.

TOCCOA, October 16.—W. A. Mathison has torn down his wooden store house and will immediately erect an elegant two-story brick structure 25x100 feet.

The Toccoa literary and social club had its first meeting at the residence of Mrs. Carrie Simpson last night. After the adoption of suitable by-laws the following officers were elected: President, L. A. Simpson; vice president, Louis Davis; secretary and treasurer, W. C. Rice; critic, W. R. Jones, principal of the Toccoa high school. The club will hold its next meeting at the residence of Dr. John McJunkin.

The infant child of Mr. and Mrs. Spencer M. Smith, after a painful illness, on Saturday night last passed into the dreamless sleep that lulls the dead.

Griffin, Georgia.

FIRE.

Special to The Constitution.

GRIFFIN, October 15.—The dwelling of L. R. Brewer, on Poplar street, was burned today. A sister of W. R. Hanleiter was in the house, quite sick, at the time. She was safely rescued. The fire caught from a defective flue in the stove room. Insurance eight hundred dollars. Most of the household goods were saved. The fire department was promptly at the scene, but the alarm was not given soon enough to save the dwelling. The colored hook and ladder did good service.

A BULLET'S WHIZ.

Little Pitt Brown, sitting near the first fire of the season, this morning, was startled by something akin to a pistol report. Examination revealed the fact that a loose cartridge was thrown in the fire place during the summer. It exploded, the ball passing through the back of the chair, burying itself in the wall, barely missing the youngster's head.

Covington, Georgia.

ON THE FENCE AGAIN.

Special to The Constitution.

COVINGTON, October 16.—This district of our county and Hays's are holding an election today, on the fence question again. Can't tell what the result will be, but in all probability 'twill go in favor of fence. Will give the result to-morrow.

Winter is upon us to-day. Fires are in demand in houses, and overcoats out doors. A strong east wind, no rain yet, and consequently dust is in abundance.

Our people have met with delight the decision of the supreme court on the "civil rights bill."

AS A COTTON CENTER.

Mr. J. S. Wright, one of Newton county's most energetic young farmers, brought to our market, to-day, one bale of cotton for which he is offered fifteen cents per pound—a straight out-and-out offer. It is said to be the prettiest bale of cotton ever brought to this market. Covington is acknowledged to be the best cotton market in Georgia. Our buyers have been right up with Augusta quotations, and we have received more cotton than any other point between Atlanta and Augusta.

Horsemen in Brooks.

From the Quitman Free Press.

We move that the young men of Quitman and surrounding country organize a cavalry company. Many of them have fine horses and are fine riders. It would be good exercise and recreation and would amuse and entertain the populace. Let's have a "critter company." We nominate Fuller Groover for captain.

A Baltimore boy borrowed his big brother's razor and made a saw of it.

"We shall meet, but we shall miss them"—the dog days.

"Boiled shrimp" is no longer a fashionable color in England,

A man who advises you to think a minute has sober second thoughts.

Tramps are the rascals who ought to be turned out—to work.

The fertility of the average politician's imagination is something wonderful.

THE SUPREME COURT

DECISIONS RENDERED TUESDAY OCTOBER 16, 1883.

Hon. James Jackson, Chief Justice; Hon. Samuel Hall and M. H. Blandford, Associate Justices —Reported for The Constitution by J. H. Lumpkin, Supreme Court Reporter.

Watson vs. McCarty. Certiorari, from Crawford. Practice in Supreme Court.

A dissatisfied litigant in a justice's court presented his petition for certiorari to the judge of the superior court, who refused to sanction it, and the petitioner excepted. The bill of exceptions set out these facts, and following the certificate of the judge was what appeared to be the petition for certiorari, but it was not identified by the judge:

Held, that the writ of error must be dismissed.

Writ of error dismissed.

W. C. Winslow, for plaintiff in error.

R. D. Smith, for defendant.

Head vs. Bridges et al. Refusal of injunction, from Monroe. Practice in Supreme Court. Injunction. Equity. Administrators and Executors. Jurisdiction.

Jackson, C. J.—1. A sheriff may serve copies of a bill of exceptions on the defendants in error, and his official entry on the bill of exceptions is sufficient evidence of service. Nor does it make any difference whether such service and entry be made before or after filing. Official service by the sheriff stands on a different footing from that by counsel or a party. 41 Ga., 682; 50 Id., 369; Code, § 361, 348.

(a.) As to service in other counties it is unnecessary to decide, as it does not arise in this case.

2. If the chancellor puts his refusal of an injunction on the facts which were contraverted, or refuses an injunction generally, this court will not reverse the judgment, unless it be made to appear that the discretion of the chancellor has been abused; but where the chancellor rested his judgment on the existence of a common law remedy in another county and the want of jurisdiction in the superior court of the county where the bill was filed, and such grounds were erroneous, a reversal will be granted.

(a.) The bill charged and the facts, from complainant's side were, in brief, as follows: Complainant was called to account as executor by the legatees of the estate before the court of ordinary of Jasper county; the case was transferred by appeal to the superior court, was brought by exception to the Supreme Court and a new trial was granted; pending the case so returned, this bill was filed. It rested upon the equity that complainant had in good faith applied for his discharge as co-executor with the mother of the legatees; that he obtained, as he thought, a valid discharge; that though this discharge was held to be invalid because this citation appeared not to be in time, yet to show good faith on his part, he alleges that it has been found that service of the citation was actually made in time; that when thus discharged, as he bona fide thought, the administration was turned over to his co-executrix, who was guilty of all, or most, of the mal-administration after his retirement; that he is entitled to contribution from her and to subject her share of the estate; that she has colluded with her children to put the whole burden on him; that all parties reside in Monroe county:

Held, that there is equity in the bill and the superior court of Monroe county has jurisdiction to grant relief.

(b.) The judgment is reversed, with directions that the injunction prayed for be granted, the bill be reinstated (if dismissed), and proceed to trial on the merits, provided that complainant shall give ample bond and security to respond to the legatees for such decree as they may eventually recover against him, if any. 54 Ga., 378; 63 Id., 438; 67 Id., 215; 29 Id., 34.

(c.) The bill may be amended as may be necessary to a full adjudication of the rights of all parties and in such manner as not to collide with the other bill pending in court.

Judgment reversed with directions.

A. D. Hammond, W. A. Lofton, John I. Hall, for plaintiff in error.

Berner & Turner; J. H. Lumpkin, for defendants.

Wallace, administrator, et al., vs. Owen et al. Appeal from Court of Ordinary, from Talbot. Practice in Supreme Court. Advancements. Gifts. Parent and Child. Evidence. Witness.

[Blandford, J., being disqualified, did not preside in this case.]

Jackson, C. J.—1. The verdict was not contrary to law, evidence or the charge of the court.

(a.) This was a special verdict, in which the jury returned answers to specific questions, and it is not specified in what particular the verdict is wrong,

2. An absolute gift to a child of the donor may be changed into an advancement, with the consent of the donee; and an advancement may be changed by consent into an absolute gift; nor is it necessary that this should be done by will. 63 Ga., 705; 51 Id., 20; 23 Id., 351.

(a.) This is not in conflict with the case in 39 Ga., 108.

3. If a father gave his children negroes and charged the same to them on his book, and afterwards destroyed the account which he had made, and declared at the time that they should not be accounted for against his children, the jury could consider this with the other evidence in determining whether the negroes should be considered as advancements.

4. The child should accept the gift in order to make it an advancement; if not received by the child, it would not be such. Such was the charge, and we do not see how it could do harm.

5. The question being whether certain negroes should be charged against the children of a decedent as advancements, there was no error in admitting testimony that the intestate said that the war had freed the negroes, and he did not want his children to account for them, and that he would tear up the memorandum charging them to his children; which he accordingly did. Such statements were not hearsay, but were sayings against the interest or the defendant's estate, tending to lessen the value of it for distribution. 51 Ga., 20.

(a.) The husband of a daughter of the intestate was not incompetent to prove these facts, because the title to the negroes vested in him at the date of the gift by virtue of his marital rights; and the intestate is dead. We do not see what interests he has, now that the negroes are free, and he is no party now.

Judgment affirmed.

J. M. Matthews; W. S. Wallace & Son, for plaintiffs in error.

J. H. Martin; John Peabody, for defendants.

Greer, administrator, vs. Burman. Appeal from county court, from Houston. New trial. Debtor and Creditor. Principal and Agent.

Jackson, C. J.—1. The evidence is ample to support the verdict, if the jury believed the testimony for one side and disbelieved the conflicting testimony of the other, which they had the right to do.

2. A debtor may elect which of two debts he wishes a fund to pay; if he does not so elect, the creditor may apply the fund to either debt.

3. An agent cannot exceed his authority, and if he gives the creditor notice of its extent by telling him what the principal directed him to say to the creditor, then outside agreements beyond the scope of his authority made by the agent with the creditor, unless ratified by the principal, will not bind him.

Judgment affirmed.

W. L. Grice, by brief, for plaintiff in error.

B. M. Davis, for defendant.

James vs. Benjamin. Distress warrant, from Houston. Landlord and Tenant. Distress Warrant. Promissory Notes. Evidence.

Jackson, C. J.—1. A distress warrant will not lie for rent until the same is due, unless the tenant is removing his goods from the premises or seeking to do so. Code, sec. 2285.

2. A note payable on or before a certain day is payable on that day, so far as the maker is concerned. He may pay it before if he wishes; but may put it off until the day named. There is no ambiguity about its legal effect, and parol testimony is inadmissible to vary its import, or show that it is to be paid before the day named.

Judgment affirmed.

W. E. Collier; Duncan & Miller, for plaintiff in error.

M. G. Bayne, for defendant.

Harwood vs. Andrews. Appeal from county court, from Crawford. Set-off. Equity. Husband and Wife. Executor de son tort.

Jackson, C. J.—Where a man died indebted for medical services, and his wife converted his entire personal estate into money and left the county with it, having no visible property, except a half interest in a house also derived from her husband's estate, the value of which was estimated at from twenty-five to one hundred dollars, if she seeks to recover from the physician on a note given to her individually by him, equity will allow him to set off the amount of his account against the decedent, will adjudge her practically insolvent—out of reach of and inaccessible to legal process, and will prevent a recovery to the extent of the account thus set off; especially when she is the sole heir and no other creditor of her husband appears in the case. The same relief may be obtained under equitable pleadings in a court of law. Code, sections 3082, 2441; 19 Ga., 290; 30 Id., 557; 36 Id., 587; 2 Id., 304; 24 Id., 209; 38 Id., 264.

(a). In cases of set-off equity generally follows the law; but if it be of an equitable nature, courts of equity will take jurisdiction to enforce the set-off. In cases of insolvency there are peculiar equities, which will be seized upon and enforced. Code, section 3141; 31 Ga., 26, 33; 41 Id., 260, 262; 42 Id., 161.

Judgment reversed.

R. D. Smith, for plaintiff in error.

Duncan & Miller, for defendant.

Exchange Bank of Macon vs. Elkan. Certiorari, from Bibb. Practice in Superior Court. Practice in County Court. New Trial. Courts. Judgment.

Jackson, C. J.—Suit was brought in the county court of Bibb county. On the first day of the term no litigated cases were heard, but judgments were rendered where no defences were set up. Counsel for plaintiff in this case stated that he desired a judgment in it. The court inquired if the case was defended, to which counsel responded in the negative, and the court permitted him to make out his case by proof, and rendered judgment for the plaintiff. No plea had been filed and no name of counsel for defence had been marked on the docket. Later in the day, two attorneys who had obtained leaves of absence came into court, announced that they had a defence to the suit; that they had conferred with counsel for the plaintiff, and that the understanding had with him was that the case should not be heard until they had been advised. The judge of the county court, upon this statement, ordered that the judgment be opened and that the defendant be allowed to plead:

Held, that this was error. No agreement of counsel is binding unless in writing. No such agreement was shown, but the case was reinstated upon the mere verbal statement of counsel for one side. Nor was it proper to pass such order without notice to opposing counsel, and thereby practically pronounce him guilty of bad conduct without a hearing.

(a.) We recognize the distinction between a motion for new trial and a motion to set aside a judgment: and also a motion to arrest a judgment and one to set it aside. We also recognize the rule that judgments of a court of record are in fieri, at least until entered of record or on the minutes of the court, if not during the entire term. But if this were a motion to set aside a judgment, notice should have been given to the adverse party. Strictly speaking, this motion was neither a motion for a new trial nor one to set aside a judgment, nor to arrest a judgment. It partakes rather of the nature of the first than of the others, not being predicated on what appears of record. It was, in fact, a matter of practice in the county court. Code, §3588; 53 Ga., 91, 52; 55 Id., 274.

Judgment affirmed.

Bacon & Rutherford; Thomas Willingham, for plaintiff in error.

A. Proudfit; G. T. & C. L. Bartlett, for defendant.

Mayor and Council of Macon vs. Hoge. Certiorari, from Bibb. Municipal Corporations. Costs. Certiorari. Criminal Law.

Hall, J.—Where a certiorari has been brought to reverse a judgment of the recorder of a city imposing a fine for a violation of a city ordinance, if it be sustained, the court may enter judgment for costs against the city.

(a). Conceding that the police powers of the city have been delegated to it by the state, that the state might resume and exercise such powers directly, if it chose, and that the city government is the subordinate agent of the state, to aid it in the government of a certain community, it does not follow that the city has all the immunities and prerogatives of the sovereignty whose agent and servant it is; nor is the state chargeable, directly or indirectly with the expense of administering the city government. The state has made provisions for the payment of its own officers, from fines and forfeitures in their respective courts, where costs cannot be collected from defendants in criminal proceedings. Code, section 4631.

(b.) In this case the court merely gave judgment for costs without directing how they are to be paid. The fines and forfeitures arising from proceedings before the recorder are unquestionably subject to this judgment, and it is for that court and the city government to see that the judgment of the superior court is carried into effect, and satisfied according to law. We will not presume that it will be illegally enforced, and in advance of a proceeding making such question, direct how it shall be done.

Judgment affirmed.

S. H. Jemison, by brief, for plaintiff in error.

J. H. Hall, for defendant.

County of Houston vs. Central Railroad. Illegality from Houston. Railroads. Tax. County Matters.

Hall, J.—This case falls within, and is controlled by, the principle announced in The City of Albany vs. Savannah, Florida and Western Railway, determined at the present term of the court. Our special legislation as to the taxation of railroads virtually excludes counties and municipal corporations from levying a tax upon them and the appurtenances necessary to maintain and operate them, for county and municipal purposes, by making no provision for levying and collecting such tax. Acts of 1874, p. 107. Code, 826(a.)-826(g).

Judgment affirmed.

Duncan & Miller, for plaintiff in error.

Lyon & Gresham, for defendant.

Rumph vs. Cleveland. Certiorari, from Crawford. Justice of the Peace. Practice in Superior Court. Certiorari.

Hall, J.—1. Exceptions to the answer of a justice of the peace to a writ of certiorari must be in writing, must specify the defects complained of, and notice thereof must be given to the opposite party before the case is called for a hearing; but the statute does not require that such exceptions should be verified by affidavit, or that they should be disposed of at the term when they are filed. Code, sections 4062, 4066; 40 Ga., 36; 64 Id., 576; 65 Id., 260.

(a.) The case in 26 Ga., 414 was decided before the Code went into effect.

2. That the record does not show that notice of the exceptions was given before the calling of the case, cannot be urged for the first time in this court, no such question having been made in the court below. The statute does not prescribe the form or manner of notice. It may have been given or waived.

Judgment reversed.

R. D. Smith, for plaintiff in error.

Duncan & Miller, for defendant.

Lilly, administrator, vs. Griffin and vice versa. Appeal from Court of Ordinary, from Houston. Practice in Superior Court. Administrators and executors. Attorney and client. Auditor. Master in Chancery. Wills. Estates. Evidence. Practice in Supreme Court.

Hall, J.—1. The jury may take notes of calculations submitted by either plaintiff or defendant, or of what is said or claimed by counsel for either side in argument. The jury cannot be required to do this, but may do so, if it be not attended with delay or undue consumption of time. This is not an open question in this court. 63 Ga., 237, 242.

(a). It made no difference that the calculation from which counsel read was that prepared by the ordinary when the case was on trial before him; especially, when this was not intimated to the jury by counsel using it, but was brought to their attention by counsel for the opposite party.

2. While an administrator is authorized to provide competent legal counsel for the estate he represents, according to its exigencies, he cannot charge the estate with the fees of counsel retained to defend a suit brought against him to recover or to secure the trust fund, whenever it appears that the complainant is justifiable in bringing the suit. 32 Ga., 31; 50, Id., 10, 33.

(a.) There is reason to believe that the result reached by the jury includes an allowance of counsel fees to the defendant. Were it otherwise, the verdict would not be void for failing to cover all the issues presented, no special issue as to such fees having been made or submitted to the jury by the pleadings. Gunn vs. Barrett (September term, 1882).

3. The accounts in this case do not seem to have been complicated; there was no dispute as to the amount of any of the items in question; the entire controversy was as to the propriety of the items themselves, and to whom the money embraced in them belonged. The motion to refer the case to a master or auditor was made too late, having been made after the case had been called, both parties had announced ready, the case had been set down for trial and called at the time when set. Besides a reference to the master was in the discretion of the court, and he did not abuse his discretion in refusing it; nor was the defendant injured thereby. Code, § 3139; 47 Ga., 586; 57 Id., 448; 59 Id., 47.

4. The exception as to turning over a note given for the purchase of a part of the land devised by the will, and which constituted a part of the effects of the estate, was properly abandoned on the trial.

5. The testratrix had four children; two by a former husband, and two by her second husband. They were known respectively as the S. children and the G. children. Her will provided as follows: The first item directed the payment of debts; the second gave a specific legacy of jewelry, etc., to the S. children; the third directed that her land and other property be kept together and rented out or leased for a term of five years, and that the proceeds should be equally divided between the G. children, to be used in their education, "and at the end of five years—or if my executor thinks best for the estate (he) may continue the rent or lease under the same provisions one, two or three years—then I desire it sold to the best advantage, and the proceeds to be equally divided" among the four children. In case of the death af either of the S. children, the survivor was to have all the share of such decedent; in case of the death of either of the G. children, his share was to go to the survivor; in case of the death of both of the G. children before either became of age, all of their share was to go to the S. children; in case of the death of all of children before becoming of age the estate was to go to the brother and sister of the testatrix or the survivor of them. The survivor of the G. children, on attaining his majority, cited the representative of the estate for a settlement:

Held, that the legacy contained in the third item of the will was specific as to the purposes for which it was made, and was absolute and unconditional, save as to the limitations imposed into the item itself. The intention of the testatrix was to dispose of her entire estate by will, and also to provide for any remainder that might arise in consequence of the death of either of the principal legatees. In case one of the G. children died under age, the other was to take all of his share, including the five years' rent.

6. One hundred acres of the land charged with the five years' rent, under the above will, were sold before the expiration of that time for the payment of the debts of the testatrix; and after accomplishing that purpose there was a considerable surplus left in the hands of the executor. The interest of this surplus was given to the plaintiff as a compensation for the rent which was lost by reason of the sale. In view of the rule requiring legacies of the same character to contribute ratably to the payment of debts where there is a deficiency of assets primarily liable (Code, §§ 2467, 2534), this was as liberal a measure as the defendant could have asked.

7. The returns of the defendant's predecessor in the trust were admissible to show what effects belonging to the estate were turned over by him to the defendant upon final settlement between them, and to show what part of the rents specially bequeathed to the plaintiff and his brother had gone into the general estate, either for the payment of debts or other purposes, and which the plaintiff was entitled upon this settlement to have returned to him.

8. The judgment in the first case being affirmed, leave is granted to plaintiff in error to withdraw the bill of exceptions in the second case, and both are affirmed.

Judgment affirmed.

Duncan & Miller, for Lilly, administrator.

W. C. Winslow; A. C. Riley; B. M. Davis, contra.

McCook et al. vs. Pond, adm'r. Refusal of injunction, from Muscogee. Administrators and Executors. Courts. Equity. Injunction.

Blandford, J.—A bill was filled against an administrator, making in brief the following case: Complainants are the heirs of defendant's intestate; the estate is ripe for distribution; there are no debts; the real estate can be readily divided in kind; and there is no need for a sale of it; an order of the court of ordinary has been granted authorizing a sale of the realty; a motion was made to revoke this order, and on the refusal to revoke it, an appeal was taken to the superior court. The object of the bill was for an account and settlement and a distribution of the estate; there was a prayer for an injunction to restrain the administrator from selling the realty. On the hearing complainants introduced affidavits to show that the appeal from the court of ordinary was withdrawn, on agreement of the administrator that he would only sell one lot. This was denied by defendant:

Held, that the injunction should have been granted. The object of this bill was not to interfere with the due course of administration, but to wind up and distribute this estate which is now ready for that purpose; and this may be done as well by a division in kind as by a sale and distribution of the money. Courts of equity have concurrent jurisdiction with courts of ordinary as to the administration of estates; and when an estate is ready for distribution, and the ordinary fails to take the proper steps to bring this about, a court of equity, upon a bill filed for account and distribution, will entertain jurisdiction for that purpose; the jurisdiction of the ordinary ceases pending the bill, and equity may do whatever the ordinary could have done had not the bill been filed. He could have distributed in kind, and the court of equity may do likewise, and to that endmay restrain the administrator from selling. Code, §§ 2246, 2483, 2584, 2588.

(a.) The estate in this case is ready for distribution and final settlement, and in this it differs from the case in 68 Ga., 735; 47 Ga., 195.

(b.) As real estate descends to the heirs in this state, it would seem to be the policy of the courts to favor the heirs by a division of the lands in kind, and they will not be sold unless it be necessary to pay debts or to have a distribution. Tucker vs. Parks et al. (Feb. term, 1883.)

Judgment reversed.

Thornton & Hargett; J. M. Leonard, for plaintiffs in error.

McNeill & Levy, for defendant.

Hartley vs. Head, guardian. Appeal from court of ordinary, from Houston. Statute of Limitations. Guardian and Ward.

Blandford, J.—Where a ward became of age in 1870 and instituted no proceedings against her guardian until 1882 when she cited him before the ordinary for a settlement, the action was barred by the statute of limitations; nor was the bar of the statute relieved by the fact that she had demanded a settlement, and the guardian had replied that he had better keep her money; that it would do her no good; and promised that he would settle with her. Code, § 2922; 56 Ga., 684; 66 Id., 255; 69 Id., 449; 61 Id., 856.

Judgment affirmed.

W. C. Winslow; J. H. Branham, for plaintiff in error; or.

Duncan & Miller, for defendant.

Leman vs. Saunders et al. Complaint, from Crawford. Contracts. Guano. New trial.

Blandford, J.—This case is controlled by that of Kleckley vs. Leyden, 63 Ga., 215.

2. There was no abuse of discretion in refusing to grant a new trial on the ground that the verdict was contrary to law and evidence.

Judgment affirmed.

L. D. Moore; Duncan & Miller, for plaintiff error.

Smith & Stroud for defendants.

Flournoy & Epping vs. Wooten, executor, et al., and vice versa. Complaint. from Muscogee. Witness. Evidence. Debtor and Creditor. Statute of Limitations.

Blandford, J.—1. Where H., as a member of the firm of F. & H., contracted with T., and subsequently H. retired from the firm, which then became F. & E., and T. continued to do business with the latter firm, in a suit between him and the firm of F. & E., arising out of transactions subsequent to the retirement of H., the latter would have been a competent witness at common law, although T. was dead at the time of the trial; and he is competent unless he falls within one of the exceptions contained in the act of 1866. Code, §3854.

(a.) A witness who is not offered to testify in his own favor, who is not a party to the record, nor ought to have been so, is competent, even though the other party to the contract or cause of action in issue or on trial may be dead. 36 Ga., 520; 45 Id., 25, 147; 50 Id., 205; 51 Id., 625; 55 Id., 98; 62 Id., 639; 65 Id., 132, 145; 67 Id., 247; O'Brien vs. Farley (Feb. 6, 1883).

(b.) An agent who makes a contract for his principal is a competent witness, although the other party to the contract is dead, because not testifying in his own favor; except in cases of corporations, where to allow the agent to testify would be substantially to allow the corporation itself to testify. 51 Ga., 625; 55 Id., 98; 62 Id, 639; 64 Id., 237; 65 Id., 132.

(c.) A witness who is interested as a party, or who is interested in the event of the suit, is incompetent to testify where the opposite party to the contract or cause of action in issue or on trial is dead. 37 Ga., 118; 45 Id., 511; 36 Id., 520, 565; 40 Id., 673; 48 Id., 142; 53 Id., 9; 54 Id., 115, 119, 174; 55 Id., 187; 58 Id., 86; 59 Id., 180, 343; 52 Id., 640; 67 Id., 675, 249; 66 Id., 139; 64 Id., 595; 63 Id., 86; 62 Id., 639; 61 Id., 428; 60 Id., 583.

(d.) One who is a party to the record, when offered to testify in his own favor, the other party being dead, is incompetent, and one who ought to be a party is incompetent to testify when the other party to the contract, etc., is dead. 37 Ga., 118; 45 Id., 511; 58 Id., 288; 56 Id., 474; 63 Id., 288, 479; 65 Id., 407; 67 Id., 248; 60 Id., 535.

(e.) The act of 1866 (Code, sec. 3854) was not intended to exclude any one from testifying who was competent as a witness by the law as it stood at the time of its passage, but did intend to make all persons competent as witnesses except those who fell within the exceptions to the act. Such was not the case here.

2. There was no error in overruling the demurrer to the plea of set-off.

3 Where a mutual account between warehousemen and their customer was commenced in 1886 and ran regularly until 1883, with entries by the warehousemen both of debits and credits, but no settlement was made between the parties, but the account ran from year to year, the statute of limitations will only begin to run from the last charge or item of such account.

4. Although the account may have been charged on the books of the warehousemen in the name of another than the person sought to be held liable, the court having left it to the jury to find from the evidence to which of the two credit was in fact given, and whether or not the account was so charged for the convenience of the person claimed to be liable, and the jury having found that such was the fact, the court did not err in refusing a new trial on the ground that the case was within the statue of fraud.

Judgment reversed in first case; affirmed in second.

Hatcher & Peabody, for Flournoy & Epping.

Porter Ingram; Peabody & Brannon; Little & Willis, contra.

White vs. Wheelan. Illegality. from Crawford. Homestead. Debtor and Creditor.

Blandford, J.—Where money was borrowed to pay off the balance of purchase money due for land embraced in a homestead, and was used for that purpose, and a note was given for the amount so borrowed, the homestead was subject to such debt. 55 Ga., 622; 53 Id., 485; 45 Id., 483; 46 Id., 207; 59 Id., 232; 39 Id., 466; 54 Id., 569.

Judgment affirmed.

Bacon & Rutherford, for plaintiff in error.

A. L. Miller, for defendant.

Holdridge vs. Cubbedge et al. Complaint, from Houston. Charge of court. Practice in Supreme Court. Practice in Superior Court. New trial.

Blandford, J.—Where a ground of a motion for a new trial was that the court refused to give certain requests in charge, and the court stated that he refused these requests because they had previously been given in his charge to the jury, the charge not being in the record, this court will not grant a new trial. All that the court is required to do is to submit fairly and fully the law as applicable to any theory of the case growing out of the testimony. When this is done, he may refuse any request coming from any source, and the parties must be satisfied.

2. There was no error in refusing to give the sixth request, and charging in lieu thereof as the court did.

3. The verdict is supported by the evidence.

Judgment affirmed.

W. L. Grice, by brief, for plaintiff in error.

Duncan & Miller, for defendants.

The Bottle in the Closet.

Some silly old fellows have a habit of keeping their brandy bottle under lock and key, where nobody but themselves can get at it. They think nobody knows how often they go to it, but a red nose sometimes tells the tale louder than words can speak it. The "bottle in the closet," if it contain brandy, is very mischievous. But a "bottle in the closet," full of Perry Davis's Pain Killer, is just what no family can afford to be without.

President Grevy is fond of going into the kitchen and bossing the cook.

WALTERBORO, S. C.—Colonel A. L. Campbel says: "A member of my family used Brown' Iron Bitters with good results."

THE CONSTITUTION: ATLANTA. WEDNESDAY, OCTOBER 17, 1883.

THE CONSTITUTION.

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ATLANTA, GA., OCTOBER 17, 1883.

INDICATIONS for South Atlantic states to-day, partly cloudy weather and local rains, northeasterly winds, rising, followed by falling barometer, stationary or slight fall in temperature.

GOVERNOR BUTLER has given the intellectual ladies of Boston the worst cut yet. He has wrung from the attorney general the opinion that a woman is not a person.

A COUPLE of ambitious highwaymen attempted to begin business in the suburbs of Macon yesterday, but ingloriously fled before they had accomplished anything.

THE colored people of the district of Columbia have been making arrangements for a meeting of protest against the civil rights decision. The meeting will be held on Monday night.

THE story of a troubled conscience, which covered three continents and waited thirty years for restitution, told from Philadelphia, bears witness to the "still small voice" which impels men to do right.

GERMANY has long been waging war against American pork, to the neglect of the native article. An outbreak of trichinosis, with nearly two hundred victims, is reported from one of the provinces where none but German hogs were known.

BOSS MAHONE has been making a speech in Botetourt county, in which he deplored the democratic victory in Ohio, as it would give strength to the democratic canvas in Virginia. The New York Times is so disgusted with the truculence of the boss that it says: "A democratic victory in that state, with its inevitable consequences to Mahone, would be a good thing for the republican party at large."

REFERRING to the action of Treasurer Speer, in regard to the sending of funds to New York to meet the interest on Georgia's bonds, the Columbus Times says: "If the treasurer cannot take the reponsibility the governor should, and if it cannot be done safely otherwise, the treasurer should go on himself and perform the duty. We care nothing for the effect of this determination should it be persisted in, upon the market value of the bonds, for Georgia is no longer a borrower—but we do want good faith kept."

THE KEY TO OUR FISCAL POLICY.

The true guiding principle of our fiscal policy has for some years past been disused. That principle is to restrict government to constitutional objects, by economical means. The actual key to the action of government is just the reverse of this, viz: spend money; spend it, constitutionally if convenient; but at all events spend money. Extravagance, not economy, has been our financial policy. Increase of burdens, laid in most onerous forms, has been our fiscal guide. In the use of public money, do not stint nor spare. This policy begins even to be avowed; and it ought to be, for it is the logical result of the whole doctrine of protection. In that view extravagance is the public interest. So obviously does this flow from their opinions that concealment is no longer possible. The most logical advocates of protection, accordingly, desire a tariff for protection with incidental revenue. If their doctrines are true, there is no stopping place short of this.

There are other reasons, however, stronger than logic. The self interest of parties pushes them on. Since the "incidents" of taxation are greater than taxation there has grown up a privileged class interested in the maintenance of these "incidents."

These interests are more concentrated and better organized than are the general interests of the people. Being more highly organized, they are more powerful, unless the people, too, organize for self-defense. A difficult task, relatively, but a necessary one. On no cheaper terms can relief be had. The people must organize. Years ago our tariff began to yield too much revenue. But, by some pretext or other, it must be maintained. For the sake of revenue? Not at all. But for the sake of "protection" and in despite of waste. The object has been to conserve, at all hazards, the "incidents" of taxation—whatever might become of taxation itself. The incidental burdens of taxation far exceeded its own weight, but the country has been compelled to bear the one burden that it might not escape the other. But if we get the revenue, we must spend it some how. There are immense private reasons for this to which the public interest must yield.

Hence, to use up increased revenue we have many schemes. Pensions and back pensions, river and harbor bills, government buildings, the tariff commission for delay and to beg time. Hence the proposition to repeal the internal revenue, and so make whisky cheap, but clothes dear; to make cigars cheap, but rob the backs of the poor and the cribs of the children. Anything but reduce the tariff! The object of all was not to relieve the people, but to perpetuate their burdens. The privileged classes were afraid that if one burden dropped both might drop. Tariff reduction would reduce not only 200 millions of taxes, but from 500 to 1,000 millions of incidents and waste. By no means could this be tolerated. Hence, a whole crop of devices—not to save, but to spend. It is proposed by federal taxation to run all the state governments. Quite a wholesale job! Already a new batch of pensions is proposed. Wanted, a place to put money. Anything rather than economy.

Well, we have had a tariff commission—and still we have a surplus! Embarrassed legislation. How to take off the burdens. This usually easy and delightful task is so hard. Senator Lamar's speech deals admirably with this topic (and with the whole subject). Never was there a finer piece of irony than that in which he shows the perplexities of the protectionists: "I suppose history does not afford another instance of a people heavily and heedlessly taxed for a long series of years for no other reason except that their rulers were unable to devise a method of reduction."

Indeed, there was another trouble in the way. A moderate reduction of the tariff would really increase the revenue. This seeming paradox is easily explained. It has been so high as to be largely prohibitory. A lower rate would admit more goods in such a ratio as to enlarge the revenue. To illustrate: 450 millions at 44 per cent yields 200 millions of duties. A reduction to 35 per cent might increase imports to 600, yielding 210 millions. So a reduction to 30 per cent might enlarge imports to 750 millions, giving a revenue of 225. It would operate like the reduction of postage, the less rate making increased business.

This would not suit the protectionist however at all, at all. For the government would get it, and it is not the interest of government they are after. Probably a reduction to 20 per cent would induce 1,000 millions of imports, still giving us 200 of revenue. This relief of the people is the very thing to guard against. Hence their varied devices to spend money. Little as the people understand the whole truth—still the people have prayed for relief. As the Israelites of old asked of Solomon's successor, the people have asked "ease somewhat the yoke thy father put upon us." The young bloods of the day suggested the answer of the king's son. "My little finger shall be thicker than my father's loins." So answer the protectionist now. We live to-day under a war tariff, only justified by war, only defended when enacted by war. It is greater to-day than the tariff known to our fathers as the tariff of abomination. If we were then scourged with whips, we are now chastised with scorpions. We have now indeed, a splendid field for economy by principle as distinguished from economy by detail. A noble field, if we but had a Burke to cultivate it. Napoleon laid once a small tax—a new one—which brought in little revenue. One of his officers remonstrated: "Your majesty could make this yield largely." Napoleon answered: "Wait and see. This is but the entering in of the wedge. You do not understand mankind." Our wedge is already well in. The war is over, after a sort, but not as to taxation.

Within a few years we have been inured to horrors. We have seen $160,000,000 added to the annual public burdens. We have seen credit mobilier, star route and whisky frauds in high places. We have even seen the presidency stolen. Nay, we have seen a president assassinated, all in the interest of public plunder. Great God! Are we a people blind and deaf? Are we utterly besotted and unworthy of liberty?

"Protection" has gone to seed and borne fruit, and we have the reign of rings and bosses. In trade, among the magnates, corners and squeezes; among the operatives, protests and strikes. Taxation, and its "incidents," greater than itself, keeps the south, especially poor, like a typhoid patient. But the whole country feels it, and is sick of it. Relieved of this old man of the sea, who bestrides our backs, and clogs our energies, we should rise like a giant and our unshackled commerce would benefit alike ourselves, the world, bless both in giving and in receiving. And what do we get in return for it all? What but mischief? For annual outlays of perhaps from 1,000 to 1,500 millions of dollars, we reap nothing but corruption—we aggravate every evil of government and of society. Government makes alliance with monopoly, and monopoly controls government. Hence, in addition to civil dis-service, neglect and corruption, we have vast economical evils. Hence, millionaires and paupers—hence, strikes and discontent—hence infinite speculation and legitimate business converted into gambling. Hence railroad monopolies, Pacific railroads, elevated railroads, telegraph monopolies, Chicago squeezes.

Reform is imperative. We need it for a thousand reasons. To save society—to save government from usurpation—to save the poor from the millionaire—to give no artificial aid to disparity—to let the laborer keep the fruits of his labor—and to remove premiums now bestowed on successful villainy. To accomplish all this, the present false key must be laid aside—extravagance and side ends—and the true key must be used—economy and public ends. But the reform will not come of itself. Monopoly is organized and entrenched. It will make a desperate resistance. Its victims must present an equal organization and dislodge it. We are numerous—we victims of "protection." We are able to fight these sons of Anak; but we must organize. We must know our rights in order to maintain them. The protectionists will even "bribe the people with their own money." There is no end to their tricks and devices. Even now they propose to run the state governments. Next they will run the counties and the cities. At last they will run us, each and all of us—the whole people—with our own money, less the stealings. Can we trust them? The elections last fall answer—no.

THE NEW-HOTEL BOOM.

Charleston, Savannah and Augusta, and nearly every other southern city, wants a hotel of the most approved construction, liberal in size, and well kept after it is ready for the reception of guests. Large and luxurious hotels have become a necessity in every center of population and business. The hotels that are wanted are something better than the Maxwell house in Nashville or the old Kimball in Atlanta—houses that will attract and hold the better portion of the travelling public, and become in turn a sort of general exchange for the city.

Such hotels are needed in every town, but they are especially desirable in the southern cities, because during the cold season a flood of pleasure or health seekers are turned this way, and the city that has the best hotel will, other things being equal, reap the larger part of this increasing and popular tide. There will never be a winter when all available space in a hotel of established reputation in a southern city will not be filled. The population and wealth of the northern states are annually increasing, while the severity of their climate sullenly refuses to become more agreeable.

The "Florida crowd" will always be a gaining one, and the hotel boom in Charleston, Savannah, Augusta and Thomasville has reference of course to the accommodation of people seeking a winter resort.

There is, however, another fact in connection with the building of expensive hotels that should not be overlooked. The dealing in stocks and speculative ventures generally have become unpopular—perhaps we should say unfashionable; and there is, therefore, a building boom all over the country. Money is going into buildings instead of railroads and mines and other similar enterprises. The men who have lost money in stocks and grain and cotton and pork and the rest of the long list of speculative sales or purchases, prefer to put the remainder beyond the reach of margins and commissions. There is therefore a great deal of money available for building purposes, when none can be had to build a new railroads or open new mines on the modern plans. This of itself may account for the hotel boom in the south; but it is to perhaps both the building mania and the winter resort tide, that we are indebted for the desire to build new hotels in the south. Capitalists see that a good hotel in any southern city would be apt to be profitable, because it is the country's winter resort, and they are, therefore, open to proposals from projectors of such enterprises.

Atlanta may not be a winter resort, but she is in the track of travel, is historic, and has a reputation peculiar to herself. The winter-resorter stops here to accustom himself to a southern sun, and he stops on his way back to breathe our mountain air as a compromise between what he has had and what awaits him at home. Then, too, Atlanta is a summer resort; and it will indeed be strange, and also very unfortunate, if Atlanta is not equal to the demands of a business that is ready to come without any solicitation whatever.

THE New York Mail and Express has an article on "The Value of Man." The truth is, it depends on his politics. If he is a stout-hearted republican, and really patriotic, his value on election day is about seventy-five cents, including a sandwich and two glasses of beer.

UNCLE RUFUS HATCH complains that every time an Englishman eats a cracker he wants to "take a bawth, you know." Some of the Englishmen who went on the Villard excursion declare that "it will be jears and jears before they do such a thing again."

MR. W. H. VANDERBILT explains to a New York newspaper reporter that his son W. K. has $8,000,000 left after cutting up all sorts of capers in Wall street. Such information as this is what keeps the public mind in working order.

IN the month of June last the senate of the United States consumed forty thousand quarts of Apollinaris water. Just think of that for seventy-six members. No wonder our statesmen are breaking down in the loins.

PENNSYLVANIA republican organs announce that the Randall boom is booming in Ohio. It will be borne in mind that recently the republicans have seen in Ohio a good many things that were not to be seen.

THE Mohammedans declare that the world will come to an end on the 8th of November. By that time Ben Butler will be re-elected governor of Massachusetts—a state of which he has good reason to be proud.

AN esteemed republican organ fears that "we may become a silver nation." No fear of that while a republican remains to thrust his eighteen-candlestick cheek above the surface.

"THE Ohio man," observes the Philadelphia Press, "seems to be gradually losing his grip." This is probably because the Ohio man—bilious and insatiate—is the typical republican.

WITH respect to the proposition to remove the tax on whisky, it may be said that there are large numbers of men and women who believe that whisky is already a little too free.

"CAN Arthur carry Ohio?" asks the World. Not if Ohio knows herself, and since Tuesday of last week she thinks she does. No; Ohio has other engagements.

HEREAFTER King Alfonso will carry concealed weapons when he goes to Paris after a vermuth cocktail. Heaven help us if we have spelt vermuth wrong.

FOSTER to Foraker: Dear Sir—Please don't try to tack yourself to my coat-tails. I take pleasure in referring you to Colonel Jayhawker. Yours truly."

THE Mobile Register suggests tar and feathers for the Mormon emissaries. We have no doubt that this would prove to be an effectual remedy.

MR. TILDEN was well enough to send a congratulatory dispatch to Governor Hoadly. Your Uncle Samuel never forgets these little courtesies.

THE democrats will be content with a majority of one hundred thousand in New York, but they should not be content with less.

THE democrats of New York are now dwelling together in harmony. It pleases us to know that Mr. Kelly is happy and contented.

IT may be merely a coincidence, but the state house at Boston is bald-headed.

POLITICAL NOTES.

N. P. BANKS has taken the stump against Butler.

THE anti-Pendleton democrats of Ohio are already organizing to elect Durbin Ward to the senate.

THE next step in the way of postal reform, suggests the New York Sun, "should be an increase in the maximum weight for a single letter from its present standard of half an an ounce to a full ounce."

GENERAL WICKHAM, the former straightout republican leader of Virginia, who recently joined the democrats, in a speech the other day stated that he had been induced to become a candidate for the senate because he foresaw that the teaching and incendiary appeals of this coalition party was inciting the negroes to hostility against the whites, and was tending to bring about a conflict of races.

LORD COLERIDGE'S statement at the Academy of Music, in New York, that while he was a follower of Mr. Gladstone he was in sympathy as a radical with John Bright, has produced a great impression among the liberals. John Bright was to have accompanied Lord Coleridge on his visit, but at the last moment the trip was abandoned for family reasons. He is now making preparations for the coming visit.

CONGRESSMAN MILLS, of Texas, is a warm adherent of Mr. Carlisle, and thinks the Kentucky candidate will receive the undivided vote of the Texas representation. He believes that the democrats will win the presidency next year, if a popular western man heads the ticket. The colonel expressed himself in favor of McDonald, but thinks Thurman would make a strong run.

PERSONAL INTELLIGENCE.

LORD COLERIDGE is as bald as an egg, but he can tell some hair-raising stories.

"WHEN This Cruel 2-Cent War is Over," words by James Gorden Bennett, Jr., and music by the New York newsmen, is announced.

EVERYBODY is glad to learn that John Bright is coming to America next year. He will get the grandest welcome ever tendered any Englishman in the United States.

HENRY IRVING says that he is astonished at the immense sale of tickets which has taken place for his coming performances in America. He now expects that his financial success will be gigantic, even should he not obtain an artistic triumph.

ALBERT SYNDEY JOHNSON, one of the bravest and most capable of southern commanders, prided himself on New England origin. His grandparents were natives of Connecticut and Massachusetts. His son is president of Tulane college, New Orleans, and was a colonel in the confederate army.

SAYS the New York Graphic: "Justice Coleridge thinks Governor Butler about the best specimen of an American he has met with. And this after he has seen and hobnobbed with—but never mind; such comparisons may seem ill-natured. Yet such a verdict from a fine old English gentleman must sound strange to the blue blood of Beacon street."

"LITTLE EVA BRITTON" who has been going about the country for several years soliciting subscribers for a monthly paper called The Hurricane, published at Charleston, S. C., has finally involved herself in trouble, having been arrested in New Orleans as a swindler. She has obtained thirty thousand subscribers at 50 cents each for a paper that has no existence.

"JOHN BRIGHT," says a Brahmin visitor to England, "eats his breakfast like a lion, and digests it, too; but he doesn't drink. He is a broad, middle-sized man, with great, soft hands and an enormous appetite. I have seen him finish off the plentiful morning meal with half a jug of milk and a good lump of sugar, which he puts into his mouth somewhat surreptitiously."

SOUTHERN INTELLIGENCE.

CHOLERA is killing off the hogs in Putnam county, Florida.

FLORIDA has 630 factories, working 2,749 hands, with a capital invested of $1,697,430.

THE Episcopal church steeple at Barnwell, South Carolina, was struck by lightning last week.

A NUMBER of hotel waiters from Saratoga, have arrived at Jacksonville, Florida, for the winter.

JOHN M. PRICE, our Indian river, Fla., cattleman, recently carried $30,000 worth of cattle to Punta, Rassa, in one drove.

THE three monument associations of Virginia have $35,000 in hand with which to build monument to General Lee, in Richmond.

BARNWELL county, South Carolina, has a man who is twenty-four years old and only weighs sixty-two pounds. He is three and one-half feet high.

THREE gourds were raised in Warren county, Ky., one of which is a foot and a half long, the second, three feet long, and the third, a round one, five feet in circumference.

IT is estimated that the new buildings to be erected in Knoxville, Tennessee, in the coming twelve months, will cost $1,000,000. Northern capitalists are to build a $100,000 hotel there.

THE Texas legislature has been called to meet in extra session on the 15th of November to reduce the rate of taxation. This is considered necessary on account of the enormous increase in values during the past year.

DR. BASIL MANLY, of the Southern Baptist theological seminary, in his address before the educational convention at Louisville, said that statistics proved that the south before the war had more colleges, college students and professors, more academies and parochial schools than the north, only lacking free schools. This, he said, was an evidence that the south has always had a strong interest in schools, and will not fail to manifest it now.

IN THE COOL AND IN THE HOT.

Editor John Waterman was in town yesterday. As usual he found his way up to THE CONSTITUTION editorial rooms, where he is always more than welcome. After a talk on pumkin yams, in which he showed some feeling, the conversation turned to politics.

"How is Jim Blount in your county?"

"There ain't no trouble with Jim Blount in our county."

"Will he carry it in the next race?"

"He will in the cool!"

"But the nomination does not occur in the cool. Will he carry it in the hot?"

"He will—in the hot!" They can't beat Jim Blount, because he oughtn't to be beat, and the people don't want him beat!

THE LATE L. M. HILL.

Death of a Remarkable and Wealthy Man—One of the Sturdy Yeomanry of Wilkes County.

From the Augusta Chronicle.

The death of Mr. L. M. Hill, of Wilkes county has already been announced. Friday, midnight, after a severe illness which it was evident must terminate fatally, this venerable man breathed his last, and on Sunday was buried on his place about fifteen miles from Washington, Ga. Mr. Meriwether Hill, as his friends called him, was one of the most prominent and successful planters in eastern Georgia. Indeed, Wilkes county has given to the state some of the most remarkable and substantial men of this age. There are the Toombs brothers to begin with, who have each made fortunes from planting. General Robert Toombs, the younger brother, has given to history a record of so much fire and so much power that people are not apt to think of him as a farmer—and yet those who know contend that he is one of the best in the state. His brother, General Gabriel Toombs, has made a fortune from the ground, and is regarded by his brother, the general, as the shrewdest and the soundest man of his day. These two eminent brothers came from a race of farmers whose bones lie in Wilkes county, not far from Washington, and it is in this light that they best like to regard themselves. Certain it is that for the past two or three decades a race of thrifty, honest, faithful and wealthy farmers have been bred in the fields of old Wilkes—and from this noble yeomanry a "bold peasantry, their country's pride"—have grown out some of the strongest, most successful and brainiest men of the day. Besides the Toombs there are the Alexanders, the Popes, the Reeses and the Hills and numbers of others who date a sturdy ancestry and have inherited name and wealth from this illustrious old county.

Mr. L. M. Hill and General Toombs were boys together. Together they entered Franklin college way back in the twenties, and the friendship which was welded with the ardor of youth was strong and immalleable during the colder, truer years of maturity and age. The dash and impetuosity of the statesman must have found a strong, safe complement in the firm, quiet, conservative nature of the other—for with his love for Mr. Stephens, General Toombs ranked his regard for his friend, Meriwether Hill. Mr. Hill graduated at Athens with first honor, and returned to his plantation in Wilkes county, where he has since lived faithfully, thriftily, successfully a quiet life, strengthening his stores with each harvest sun and raising up to himself and the state boys who were destined, like their father, to be men of business and men of usefulness. He was not a person who boasted of his possesstons or who chanted his deeds of charity or of goodness. He aimed above all things to be honest, and did his duty and his whole duty to his family and his fellow-men. He was well known and often seen in Augusta, where he had considerable interests. He was one of the largest stockholders in the Georgia Railroad and Banking company, having up to his death over 700 shares of that security. He was also a heavy investor in the Atlanta and West Point and Central railroads, and in the three corporations owned something like 1,300 shares in all. In the two former companies he had been for many years a director. He was a stockholder in and director of the Bank of Augusta, and was vice-president of the Gate City national bank, of which his son, L. J. Hill, was president. The latter institution is better known in Atlanta as the "Hill Bank," and it is said the sons will continue its conduct, as at present, with their consolidated capital. He owned and worked about 5,000 acres of land at the time of his death, and every year made a crop of between 500 and 600 bales of cotton. In all of his business ventures, as in his planting operations, he was shrewd, far-sighted, tireless and prudent; his hand did with all its might whatever it found to do, and he was conspicuously successful in making and in investing his money.

Mr. Hill leaves eleven children. His will, which it is said was made two years ago, disposes of an estate valued at $600,000. To his widow, his second wife, he leaves about $50,000. The remainder of his estate is divided up between eleven children and two grandchildren, L. M. Hill, Jr., and Harry Hill, the latter two having been raised by him and being favorites of his, getting each a child's portion. Mr. Hill was 79 years of age at the time of his death. He had represented Wilkes county in the state legislature and had been conspicuous for his penetration and conservatism. He was buried quietly Sunday morning in the family graveyard near his home, all funeral pomp and eulogy having been at his own request omitted. A village preacher said prayers at the grave beyond this there was no ceremony. His pall bearers were his sons, and those who spread flowers upon his grave were the grandsons whom he had raised. His large family gathered about the old burial grounds and he was laid quietly and unostentatiously to rest among the fields where he had lived and by those whom he had loved.

THE COMING CANAL.

The City Council to Hold a Meeting To-Night to Hear a Proposition.

In the report of the proceedings of the council meeting Monday night was a report of a resolution in regard to a called meeting on Wednesday afternoon for the purpose of discussing the water situation for Atlanta.

WHAT THE RESOLUTION MEANS.

The resolution was introduced at the instance of Colonel B. W. Frobel and his associates, who have organized a company for the purpose of building a canal from Gainesville to Atlanta.

In substance, their propesition is this: They agree to build at once a reservoir on Crawford hill at a cost of $200,000 that will contain enough water to supply a city of 200,000 inhabitants, and give a head that will throw a dozen streams over any building in the city. On the completion of this reservoir the city is to turn over to Colonel Frobel and his company the system of waterworks the city now has as their property, as they agree in consideration of this to build within six years a canal from near the city of Gainesville to the city of Atlanta. They agree also to supply the city with all the water it needs for sewerage, public buildings, the fire department, fountains and parks, for all the future, in return for the gift to them from the city of the present waterworks system. To secure the building of this canal they agree to file a bond with the city when she deeds to them the waterworks, to the full amount of the value of the waterworks, the bond to guarantee their carrying out of the canal project and their contract under it.

WHAT HAS BEEN DONE ABOUT IT.

The matter has been before the waterworks committee. Colonel Frobel and ex-City attorney Newman made short talks, explaining what the Frobel company expected to do and what it wanted from the city. Mayor Goodwin and Councilmen Longley and Brotherton, who were present, seemed to be favorably impressed with the suggestion and thought it at least worthy of being laid before the council and fully investigated. It went before the council on Monday night and was referred to a called meeting, which will be held to-night. Colonel Frobel claims that he has good and sufficient backers in his enterprise, and says if the city will agree to his terms there is no doubt of his carrying out his end of the project.

BARTON, THE CONVICT.

Efforts Making to Secure His Pardon Upon a Novel Statement of Facts.

The public of Atlanta remember the conviction, some two years ago, of C. J. Barton, a young lawyer of this city, of the crime of perjury. Since the affirmation of his conviction by the supreme court he has been serving his time as a convict upon the works of the Marietta and North Georgia railroad. Strong sympathy has been felt for him and his patient and devoted young wife by many of our citizens. During the administration of Governor Stephens an influential appeal was made for Barton's pardon. Governor Stephens intimated his disposition to grant the petition, but decided that one of the conditions precedent to such clemency must be the reimbursement of Captain W. A Fuller, Barton's bondsman, for the expenses incurred in his capture and return here for trial. This money Barton nor his friends could raise and therefore all hope of securing a pardon from Governor Stephens was abandoned.

Now counsel and friends of Barton have renewed their application for his pardon to Governor McDaniel and they base their plea upon the fact that Barton's conviction was almost wholly the result of the testimony given on the trial by Mr. Joel S Nall, the then assistant postmaster of Atlanta. They urge that since that time Mr. Nall has been indicted for the embezzlement of public funds to a large amounts, and that the developments in his case show that at the time when he testified against Barton he was a defaulter, though that fact was unknown and wholly unsuspected. They say that the then high and unimpeachable reputation of Mr. Nall for integrity carried great weight with the jury, and that, had the facts now before the public affecting him been then known, his testimony would have gone for little and in all probability Barton would not have been convicted. Analogyzing the present status of the affair with the question of reasonable doubts applicable upon the trial of a criminal charge, the petitioners believe the governor should pardon Barton at once. The governor has the matter under advisement and has intimated no time when he will decisively act upon it.

TO-MORROW'S TOURNAMENT.

A Splendid Entertainment That the Governor's Horse Guard Will Give To-Morrow.

Unless the day is rainy the fall tournament of the Governor's Horse Guard will occur to-morrow afternoon at the track near the Fulton cotton spinning mills. The Guard have selected a piece of ground on the south side of the Georgia railroad near the factory. It is a part of an old country road, and has been brought to a grade by an engineer and put in perfect shape for the tilting. It is surrounded by hills covered with grass and partly supplied with shade trees thus affording a natural amphitheatre. The track is 150 yards long and will be enclosed by a fence so as to keep the crowd at a proper distance from the tilting.

The tilting will begin at half-past three, sharp. It has not been decided who will run, but those who do will be of the best members of the company. The only prize offered is a handsome gold medal offered by Private E. F. May.

Two trains will be run on the Georgia railroad leaving the passenger depot. Train at 3 o'clock p. m., and at 3:20. Returning leaving Gunby's at 5:15 and 5:40 p.m. Round trip tickets will be 25 cents. The Musical Union band will go out on the first train.

The hop will come off at Concordia hall. The first dance will be called at 9 o'clock sharp, when the successful knights will lead the dance with the queen and maids of honor.

No separate invitations have been issued to ladies. Each active member, exempt member, and strangers in town who have cards will be entitled to carry as many ladies as they may select. If the weather should interfere with the tournament, the hop will come off, leaving out the feature of the queen and maids of honor.

THE KUKLUX CASES.

A Witness for the Defense Makes a Hurried Hide-Out Under Threats.

The Banks county kuklux cases will come up in the United States circuit court to-day. In one of the cases there are now several witnesses for the prosecution in the city. In the same case a negro man by the name of Ham is a witness for the defense. Ham's testimony is said to be very damaging to the prosecution, and of such a character that the witnesses for the prosecution desire to "estop" it. Before coming to the city Ham was informed that he had better remain away, but disregarding this notice, he arrived day before yesterday, and put up at the Willingham building. Yesterday, when near the post-office building, he met some of the witnesses for the prosecution, by whom he was again threatened. Ham at once reported the case to Patrolmen Aldridge and Harris, and by them he was advised to pay no attention to the threats and to acquaint District Attorney Speer with the facts. Late yesterday evening the two patrolmen with whom Ham had conferred casually ascertained that a number of the United States witnesses had visited the Willingham building. Believing that their visit had some connection with Ham's complaint, they repaired to the building. There they learned that Ham had been visited by three or four persons in a group, and that soon after their departure Ham had left. To those who saw him leave, every indication of haste and great fear was manifest. Up to a late hour last night Ham had not turned up.

Seizing Stills.

Within the last few days the deputy collectors have been making it lively for the illicit distillers. Deputy Collector Bledsoe seized a still cap and worm and other implements of the distiller, belonging to James Cork, in Pickens county. Deputy Collector Heatherington seized several stills one on Jack river, in Pickins county, belonging to Ayers Jones, near whose place Lieutenant McIntyre was killed. He also seized a still near Jasper in Pickens county belonging to W. B. Simmons. He se zed a still in Gilmer county belonging to Hiram Waters and another near Jack river in Fannin county belonging to Nancy Patterson. Deputy Collector Gaston seized two large stills in the Ben Smith district in Gwinnett county and arrested William Jackson, who was carried to Gainesville and held before a commissioner in a bond of $750.

The Circuit Court.

In the United States circuit court yesterday the following cases were disposed of: W. G. W. Hill, illicit retailing and removing; acquitted. Mary F. Hackett vs. Pyrolucite Manganese Co. Suit on note. Judgment by the court for $1,000 with interest. Butler, Clapp & Co. vs. Huntington & Wright. Suit on note. Judgment by the court for $1,231.28 with interest and attorneys' fees.

Mrs. Simmons's Funeral.

Mrs. Brantly Simmons's funeral was preached at Payne's chapel yesterday afternoon. The remains were followed to the cemetery by a large concourse of friends.

NEW YORK.

THE HEIR OF THE VANDERBILT'S "SLOUGHED"

How the Young Man Found Himself Playing a Losing Game—The Elder Gentleman's Views on Business—Playing Policy—The Swindled Pool Sellers.

NEW YORK, October 16.—The reported pushing to the wall of young William K. Vanderbilt is the quiet talk of the clubs, and while it is energetically denied by the young man and his respected father yet it is believed that he has been playing with edged tools. The story is that he is between $4,000,000 and $7,000,000 "in the hole." A year or so ago W. K. Vanderbilt entered into partnership with Henry N. Smith to bull certain stocks. Vanderbilt was to put up all the cash. They bought mainly Vanderbilts—New York Central, Lake Shore, Michigan Central, Canada Southern, Northwestern, and, it is understood, Lackawanna. Now, everybody knows what the course of these stocks have been since. They were obliged to support the weak parts in the market, and they've put up their limit." This limit he had heard was fully $4,000,000, which has been sunk in the scheme. Smith, it is said, is out $750,000, although he never before got caught to any great amount. This gentleman went on to say that the authority for Smith's loss was Smith himself. Smith had, he understood, a fifth interest in the deal. So, if this be true, Vanderbilt's losses would amount to about $3,000,000. William H. Vanderbilt, on being approached, said it was all a d—d lie.

THE BUSINESS FUTURE.

The old gentleman, who is looking remarkably well, ventured a word or two on business ahead. "In six weeks," said he, "you will see all the railroads driven to the utmost with business. Money is only 1½ and a drug on the market. Whoever saw money at that price in October before? There is plenty of money, but people have not the confidence to invest it. Too many worthless securities have been put on the market, and the trouble is people have not discriminated between them and the good ones. My brother used to tell me that people invested to secure the interest without looking at the principal. I do not mean to say that all the securities that have lately been put on the market are worthless, but far too many of them are not worth the paper they are written on. The good ones have been borne down with them. I always look into the investment to see that it is safe and do not drag people in to lose their money. It is strange how different people are. A man who acquires money quickly is apt to lose it in the same way. A man who earns his money by hard work knows the value of it and takes care that he does not lose it."

PLAYING POLICY.

Though driven into dark quarters, the game of policy still prevails and has many votaries. In one of these places I found the entrance door flanked by a desk, where the "spotter" sits, and if the caller is all right he pulls a wire which opens all the doors. A gray-bearded old man named Pease, well known as an old policy man, is employed as the writer. He is stationed at the further end of the room behind a counter with a book in which the plays are recorded before him. In this room you can invest any amount of money from one cent to $100, and if you name three numbers you get two hundred for one. In this place the envelope game, as it is called, is a specialty. On the left hand side of the blackboard is strung on a hook a package of envelopes, numbered from one to one hundred, each containing a slip of fourteen numbers. An envelope is drawn every five minutes, and if a player gets three numbers he wins. This goes on every day, and on Saturday night it is kept up until midnight. One young man, the son of one of the leading stationers in New York, has lost within a short time over $10,000.

THE SWINDLED POOL SELLERS.

Sporting circles have gossip enough concerning the tapping of the wires Saturday. The losses aggregated over $25,000. The reports from the first race came all right, but in the second race Eclat was substituted for the Britomarte colt as the winner. Vocalic, who won second place, was properly credited. As soon as the news of the race was received the gamblers began paying their bets without a suspicion of the correctness of the reports. In the third race Aella, the winner, was given second place, and Bella, who came in second, announced as the winner. Bets were paid accordingly. In the fourth race General Monroe was given as the winner instead of Eole. The reports of the last two races were not meddled with. The fact that the wires were being tampered with was not discovered until the races were over. The Brighton beach pool rooms are said to have lost $18,000, Bauer's clubhouse $7,500, and the Jumbo pool rooms $4,500. Heavy losses amounting probably to $100,000 were sustained by the gamblers in Baltimore, Philadelphia, Chicago and Boston.

Randall Out West.

From the Baltimore Day.

Some of the friends of Mr. Randall, the candidate of the democratic and republican protectionists for speaker of the house of representatives, are quick to insist that the effect of the Ohio election will be to materially aid his chances for the office to which he aspires. It is difficult to see upon what ground the claim is based. The tariff cut no figure at all as a party issue in Ohio. It affected the canvass no more than would a discussion upon the merits of the British constitution. The fight was solely upon the liquor question, and it finally narrowed down to a trade in votes between democrats and prohibitionists, the former giving votes for the amendment, which they knew would not be sufficient for its adoption, and the latter supporting Hoadly and carrying him to victory. Why do not Randall's friends comment upon the remarkable result in Iowa, where the democrats gained instead of lost, and upon the doctrine of a tariff for revenue only? There is no objection to these claims on the part of Randall's friends, for the sufficient reason that nobody believes them. Nothing can materially improve his chances at this stage of his canvass.

Unprecedented Success.

From the Carnesville Register.

The success of THE ATLANTA CONSTITUTION is unprecedented in Georgia journalism. We know the time when it occupied an humble place on the west side of Broad street, Atlanta, some ten years ago. Then it built a fine four or five story building on the east side of the same street. It now proposes to build it a home commensurate with its gigantic proportions on the corner of Alabama and Forsyth streets. It is, perhaps, one of the best paying institutions of its kind and the capital invested that there is in the south.

Industrious White Folks.

From the Cincinnati Commercial Gazette.

Does the Augusta Chronicle wish to know why Connecticut is a "hive of wealth," and Georgia and Alabama are not? In Connecticut industry is fashionable among the white folks. So it is in Ohio—more so, some people say, than among the colored element.

Charming Letters.

From the Nashville Banner.

Joel Chandler Harris, (Uncle Remus) in THE ATLANTA CONSTITUTION of Sunday, gives his impressions of a trip from Georgia to Canada. His paper is written in a charming style, and will well repay perusal.

PILGRIMAGE.

She mounts the brown and windy hill,
No whit the maiden cares,
For slippery path or noisy rill,
Or April's saucy airs;
Since the braggart youth, in his freakish power
Would hurry her back from the Pilgrim's flower.

Her gown, close wound by breezes rude,
A lovely shape defines,
Whose light luxuriance breaks the bud
Of Puritanic lines;
Her arch impatience reflects my own
As she sets her foor on a sliding stone.

A wandering artist fisher I,
A man of brooks and dreams;
With rod and pencil, book and fly,
I wind the dappled streams;
'Tis beauty calls; and I fain would go,
With a breeze to woo or a gale to blow.

From Sage's ruined mill I come;
With Sage's brook I rise;
The freckled trout in eddying foam
May leap before my eyes;
Not a line to throw, not a book to spare
Where I've fished for hours at the foot of Bear!

Though hazel, rooted in the cleft,
Beside the thready fall,
O'erlooks the quiet pool I've left
And trims the rocky wall.
I scale the cliff to its crumbling edge
And cling like a cat to the granite ledge.

I see her. Eyes delicious blue,
Shy glancing up or down;
Lip curves piquant and tender, too;
Long locks of ruddy brown;
True dead-leaf color, they fitly shade
The pearly tints of the mountain maid.

The Mayflower in her ungloved hand,
Full clusters lightly prest;
Coyly its waxen buds expand
Upon her ample breast,
'Mid the dim, rough setting its petals glow
With rustic blushes on northern snow.

Her bashful looks encounter mine,
Gone like a startled deer;
Through wood-ways black with northern pine
Her beauties disappear;
And budding April, who vaunts his power,
Protects with his presence the Pilgrim's flower.

—Elaine Goodale in Independent.

THE RAILROADS.

CROSS-TIE GOSSIP IN AND OUT OF ATLANTA RAILROAD CIRCLES.

A Narrow Gauge System—The Georgia Pacific—Tennille and Wrightsville—The East Tennessee Virginia and Georgia—The Handling of Freight.

THE day is not far distant, it is thought by many, says the Savannah News, when President Raoul will lay a track around Augusta and out of the city limits, by which freights can be easily transferred from one of his roads to another and sent through or around Augusta, thus depriving the street railroad of the royalty now collected under its present charter on all through freight passing through the city.

The Georgia Pacific.

From the Columbus Dispatch.

It is not generally known, perhaps, that at the last meeting of the Georgia Pacific railway directors, held in this city, the Richmond and Danville Extension company, at its own request, was released from its contract to complete the road beyond Birmingham. This makes this city the terminus of the road for some time to come, and we doubt very much if it will ever be extended directly to Columbus, Miss. Memphis seems to be the projective point of all southern railroads now, and we believe when the Georgia Pacific is extended from Birmingham, it will be direct to Memphis.—Birmingham Chronicle.

Memphis capitalists have largely invested in Birmingham. The above is so palpably written and printed to serve some particular purpose that it is not worth reproducing, save only to show to what base uses some of us can be put. We will wager the Dispatch against our small, incomplete Chronicle contemporary that the Georgia Pacific railroad will be completed from Birmingham to Columbus before the expiration of twelve months.

East Tennessee, Virginia and Georgia.

To the Editor of the New York Times:

SIR: Please publish the following figures, being a statement of the income account of the East Tennessee, Virginia and Georgia Railroad company, omitted from the evening papers in publishing extracts from the report of that company:

Interest paid on all classes of securities	$1,308 538 97
Taxes paid during the year	74,767 77
Total	$1,383,306 74
Net earnings for the year	1,393,052 00
Excess of earnings	$ 9,745 26
Construction expenses as explained in report	1,188,846 14
Receipts during the year from Cincinnati and Georgia bonds	1,200,000 00
Excess of receipts from bonds over expenses for construction	$ 12,846 14

Very respectfully,
SAMUEL THOMAS,
President E. T., Va. and Ga. R. R. Co.
New York, saturday, October 13, 1883.

Tennille and Wrightsville.

From the Sandersville Herald.

A meeting of the stockholders of the projected railroad from Tennille to Wrightsville is called to take place at the courthouse in Wrightsville on the first Tuesday in November next. The object of the meeting is to organize and elect a president and board of directors as provided for in charter of the company. They are also expected to pay in twenty per cent of the subscribed stock as required by the charter, to proper officers. This call looks as if the enterprise was now beginning to take shape, and most heartily do we rejoice at this business-like movement Johnson county and her plucky county town Wrightsville are determined to have a railroad in the near future. Tennille is the nearest and most eligible, and most desired point for their connection with the Central road; if, however, Tennille and those interested along the line are indifferent to the project, millmen and capitalists may in their own interest build a road to some other point. Let the meeting at Wrightsville on the first Tuesday in November be attended by all favoring this road.

The Georgia Pacific.

One month from to-day the Georgia Pacific railroad will run the first train from Atlanta to Birmingham. Major Temple, the chief engineer of the Richmond and Danville Extension company, has recently returned from one of his frequent visits over the line, and announces the work progressing finely. The tunnel between Anniston and Birmingham has been worked wonderfully well considering the difficulties in the way and is approaching completion. The road is complete to the tunnel on this side and beyond it toward Birmingham very little remains to be done. The opening of the road between Atlanta and Birmingham is anxiously awaited by both cities, and Birmingham, at least, will make it the occasion of a general jubilee. It is probable that a special train bearing a large representation of Atlanta's citizens will go out on the first through train, and that the event will be one of the most pleasant occurrences in the history of railroad construction in the south. Persons who have never been over the new road have no idea of its excellent construction and complete equipment in every respect. The Southwestern railroad was considered the best built road in the south when first completed, but the Georgia Pacific is probably as good a new line as ever a locomotive hummed over under a southern sky. The iron is the heaviest used in this section and the entire line is being rock ballasted as fast as it is opened. The depots are uniform in style, handsome in appearance, and furnished with every convenience. Around each one of them there is either a town or the promise of one in rapidly rising store houses and cottages.

The growth of the old towns through which the road runs has been wonderful in the last year, while many new settlements have sprung into municipal dignity. It is said by gentlemen who have watched the history and growth of Atlanta that this new line promises more benefits to the city than any railroad that has yet been opened, except probably, the Air-Line. Already a very sensible increase has been felt in the trade of the city from the new country opened. Cotton is pouring in from it, and the villages growing along its route are increasing the demand upon Atlanta as a wholesale center in a most appreciable manner. The road itself has done an excellent business since it first began. Its officers are all first-class men and to their careful and economical management is due the credit of this phenomenal success. On the 17th of November Atlanta will have through trains to Birmingham—and that day or the next the daily line will be opened to Coalburg, which is twelve miles beyond. Cheap coal, increased trade, rich tributaries, and rising towns that will pour wealth into Atlanta's lap are all indicated and assuredly promised in these events.

A Narrow Gauge System.

GAFFNEY, S. C., October 15.—An important meeting of directors of the Rutherford Railway Construction company was held at Rutherfordton, N. C., last Monday, to decide upon the route of the Rutherford railroad. Shelby, Spartanburg and Gaffney City have all been competing for this Rutherford connection, the Shelby route not being represented, however, at said meeting. L. A. Mills, president of the Spartanburg and Rutherford railroad; E. F. Verdery, president of the Greenwood, Laurens and Spartanburg railroad, and others represented she Spartanburg route: T. Stobo Farrow, director and attorney of the Union, Gaffney City and Rutherfordton railsoad; David Risley, mayor of Georgetown and director of the Georgetown and North Carolina Narrow Gauge railroad; Senator Collison, of Edgefield, and B. F. Sinclair and others, of Marion, North Carolina, represented the Gaffney route. The advantages of the different routes were discussed for several hours and further consideration was postponed until Friday, at which adjourned meeting the following resolution was passed:

Resolved, That the president and directors of the Rutherfordton railway construction company agree to meet with the directors of the Georgetown and North Carolina narrow gauge railroad company, of the Union, Gaffney City and Rutherfordton railroad company, and of the Rutherfordton, Marion and Tennessee railway company on the 24th day of October, at Gaffney City, S. C., for the purpose of considering the question of consolidating said companies, and of accepting the proposition of the New England syndicate, upon their making satisfactory showing of their ability to perfrom the stipulations contained in their proposition. This meeting at Gaffney City on the 24th instant will have an important bearing on the railroads projected in this section, and if said companies are consolidated, will result in building about one hundred miles of narrow gauge railroad in North Carolina and four hundred miles in South Carolina; establishing a system of narrow gauge railroads which will be extended to the Atlantic coast and on through Georgia, Florida, in the south, and also through Tennessee and Kentucky to Cincinnati, Ohio, and points in the northwest. Over one and one-half millions of dollars have been assured to aid in building these roads in North Carolina and South Carolina, which will be turned over to the Boston syndicate upon their making a satisfactory showing of the ability to build said lines of road according to the terms of the proposition.

A LOOPHOOL DISCOVERED.

How Chinese Laborers are Permitted to Land at San Francisco.

SAN FRANCISCO, October 16.—The suspicious have for some time thought that many Chinese had been permitted to land from Chinese steamers who, under the restriction act, were not entitled to that privilege. A hoophole is discovered to exist under article second of the treaty, which permits any Chinamen, other than laborers, to come to the United States if provided with a certificate issued by the Chinese government identifying him as engaged in other pursuits than that of laborer. The steamer Rio Janeiro, which arrived Saturday, brought 132 Chinamen for San Francisco, 77 of whom hold a trader's certificate issued by the officials of the Chinese government. Notwithstanding the strongest external evidence of their being ignorant Chinese laborers, they were all, with the exception of six, permitted to land. The steamer Coptic, which arrived last month, brought 114 Chinese, fifty-four of whom had similar certificates issued by the officials of Chinese customs. Fully 90 per cent of both lots belonged to the common class of workmen. When that circumstance was called to the attention of the customhouse officials here, the reply was that they had no power to go back on the Chinese government's certificate.

Riddled With Bullets.

CINCINNATI, October 16.—A special dispatch to the Times Star from Little Rock says Wyatt Ames, who killed Sanders Blount while the latter was attempting to arrest Ames on Saturday, was caught last night, and upon attempting to escape, was riddled with bullets.

A Cashier Arrested.

CHICAGO, October 16.—Florence H. Peters, cashier for Lyon & Healy, dealers in musical instruments, was arrested here last night, after making a confession that he had taken twelve hundred dollars of the firm's money and lost it at faro.

Fire in Lynchburg.

LYNCHBURG, Va., October 16.—Two large brick tobacco factories of A. H. Leftwich were burned here to-day. The loss to the owner and occupants is more than $15,000. Over 250,000 pounds of tobacco were burned. Insurance about $30,000. The cause of the fire was accidental.

A Bright Blaze.

This morning at one o'clock a bright blaze was seen to spring up in a southern direction from the city. It was plain that the fire was in the country and a CONSTITUTION skirmisher boarded a hack and proceeded as far as the oleomargarine works. It was then seen that the fire was fully three and a half miles further, and as the flames had almost subsided the scribbler retured. As the fire was so far out, was evident that he could not find it and return in time for this mornings paper.

ANNOUNCEMENTS.

FOR ALDERMAN.

We are authorized to announce W. H. BROTHERTON as a candidate for alderman at large, at the coming municipal election.

ATLANTA, September 29, 1883.—H. C. STOCKDELL is hereby announced as a candidate for alderman at large at the ensuing city election.

For Councilman—T. C. MAYSON, at the solicitation of many citizens, has consented to become a candidate for councilman from the First Ward at the ensuing election, December 5, 1883.

MANY CITIZENS.

FOR COUNCILMAN.

The many friends of Mr. Wm. M. Mickelberry, respectfully announce him as a candidate for councilman from the Fourth ward, at the ensuing election, Wednesday, December, 5th, 1883:

We are authorized to announce the name of CHARLES F. TYLER, of the fifth ward, as a candidate for councilman. Election in December next.

We are authorized to announce JEROME M. McAFEE as a candidate for councilman from the First Ward at the ensuing municipal election.

The friends of C. W. SMITH announce him as a candidate for councilman from the Second ward,

MR. MAX KUTZ through the solicitation of his friends, announces himself candidate for councilman from the Second ward at ensuing election Wednesday, December 5th, 1883.

For Councilman from Fifth Ward, JAMES D. COLLINS. Election Wednesday, December 3, 1883.

For Councilman Third Ward. The many friends of Mr. WHEELER MANGUM respectfully announce him as a candidate for Councilman from the Third Ward. Election, Wednesday, Decembe 5th.

The friends of J. L. RICHMOND announce his name as a candidate for council from the 1st ward at the next ensuing election in December.

J. S. LESTER, at the solicitation of many citizens, has consented to become a candidate for councilman for the 5th ward at the ensuing election. MANY EARNEST CITIZENS.

Ida C. Markle vs. A. W. Markle. Libel for Divorce in Fulton Superior Court. Fall Term, 1883.

IT APPEARING TO THE COURT BY THE RETURN of the sheriff in the above case that the defendant does not reside in said county, and it further being made to appear to the court that he resides out of this State:

It is ordered by the court that service be made on said defendant by the publication of this order once a month for four months in the "Atlanta Constitution."

W. R. HAMMOND, J. S. C. A. C.
L. J. GLENN & SON, Libellant's Atty's.

A true extract from the minutes of the superior court of said county. This October 16, 1883.
C. H. STRONG, C. S. C.

OCTOBER 15th, 1883.

I HAVE THIS DAY ADMITTED WM. F. ALLEN as partner in my business of carriage hardware, etc., under firm name of J. W. Franke & Co.
J. W. FRANKE.

WANTED—Rooms and Houses.

A GENTLEMAN AND WIFE WITH ONE child wish to rent 3 rooms with family, close in if possible. Address Bob, Constitution office. Give references.

AUCTION SALES.

SALE OF REGISTERED JERSEYS—AT FAIRview Farm, in Athens, Clarke county, Georgia, on November 8th, 1883, commencing at ten o'clock a.m., will be sold at public outcry, nineteen or more head of registered Jersey cattle, belonging to the herd of Hampden S. Hughes, deceased. Pedigrees furnished on application. Address Mrs. Mary A. Hughes, or L. & H. Cobb, Attorneys, Athens, Clarke county, Ga. tf

AUCTION—HOWARD'S AUCTION HOUSE 90 South Broad street. Sales every day at 10 o'clock. Consignments solicited. J. G. Howard, auctioneer. tf

FOR RENT—Houses, Cottages, Etc.

FOR RENT—NEW NINE ROOM HOUSE, NO. 305 Whitehall st. cor. Will rent partially furnished or unfurnished. Apply to Dr. Marvin on premises between 4 and 5 o'clock p. m., or at corner Broad and Walton streets during day. tf

FOR RENT—NEW 6 ROOM HOUSE, NEAR Marietta street, cheap. Apply Hoke Smith's office, 33½ Whitehall st. tf.

FOR RENT—NINE ROOM RESIDENCE, 182 South Forsyth street. Gas and water throughout. Plenty closets. A. Haas & Bro., 36 Alabama street.

FOR RENT—SMALL COTTAGE 5 or 6 ROOMS, 146 McDonough, apply at 146 or 91 E. Hunter. †

FOR RENT—Rooms.

ROOMS FOR RENT—LARGE, ELEGANT NEW rooms, furnished or unfurnished. Meals furnished if desired, at 143 E. Mitchell st. tf

FOR RENT—LARGE, UNFURNISHED FRONT room with closet, on first floor. Accessible to parlor, bath room, etc., and convenient to several good boarding houses. Only 3½ blocks from car shed. Apply on premises, No. 147 Loyd st., or office No. 7, 33½ Whitehall. we fri sa su

FOR RENT—GENTLEMEN WANTING A NICELY furnished front room can be accomodated on reasonable terms at 199 South Pryor street.

FOR RENT—Miscellaneous.

I HAVE FOR RENT A NICE STORE, NO. 12 Mitchell street. Call and examine. G. W. Adair, Centennial Building.

DESK ROOM TO RENT—APPLY AT NATIONal Loan office, 16½ Whitehall. †

WANTED—Miscellaneous.

WANTED—TWO LARGE SECOND HAND standing desks. Address J. C. Wilson & Co., Coal and Lumber Dealers, 7 Spring st.

I WANT EVERY LADY IN THE CITY CONtemplating the purchase of a new machine to call at 124 Whitehall street and see the New Domestic, just out. W. T. Wilson, successor Peeples & Wilson. †

WANTED—BY APPLYING AT 130 MARIETTA street you can sell your dead cows and have your dead horses removed free of cost. tf

HELP WANTED—Male.

I WANT A SET OF BOOKS TO POST. Address "G.," this office. we th su tu

WANTED—A GOOD BUSINESS MAN IMMEdiately. Apply to A. G. Rhodes, 26 N. Broad street.

WANTED—A SOBER YOUNG MAN AT No. 4 Wall street for night service. Appy between 8 and 9 a.m. Kattenhorn & Vigneaux.

WANTED—TWO GOOD MEN TO TAKE HOLD of the sale of the New Domestic in the city. The finest thing to date, unquestionably. W. T. Wilson, successor to Peeples & Wilson. †

WANTED—10 MATTRESS HANDS AT ONCE. No idlers or sinecures need apply. Southern Spring Bed Co., Marietta street. †

A LARGE NEW YORK HOUSE, MANUFACturing Specialties in Shirts, Overalls, Underwear, &c., &c., adapted to first-class gent's furnishing and clothing trade, wants good men for the States of Alabama, Mississippi, Georgia, Florida and the Carolinas. Address J. S. T., Box 672, New York City. †

WANTED—A LARGE NEW YORK CLOTHING house wishes to engage the services of a first class traveling salesman for the state of Georgia. Applications or only experienced traveling salesmen will be entertained. Address P. O. box 106, Station A, New York city. su we

HELP WANTED—Females.

WANTED—6 YOUNG LADIES—4 FOR FLORida, 2 for Atlanta. Apply Mrs. M. A. Sumby, 10 West Hunter street.

WANTED—A GOOD COOK AT 41 CHURCH street. Call at once. †

SITUATIONS WANTED—Males.

WANTED—BY A FIRST-CLASS DRY GOODS OF Columbus, Ga., one first class salesman, and one bookkeeper. Address L. S., Constitution office.

PERSONAL.

DON'T TRADE FOR EVERY RATTLETRAP that comes along, but come to the oldest Sewing Machine dealer in the city and get a New Domestic; 12 years in the business in Atlanta. W. T. Wilson. †

BLOW AND GAS IS ONE THING, SQUARE AND honest dealing another. Come to 124 Whitehall and get the best machine yet brought out, and you shall not regret it. My word is my bond. W. T. Wilson, successor to Peeples & Wilson. †

MY FRIENDS IN THE TRADE CAN RELY on prompt and careful filling of their orders for parts, needles, attachments, oils, etc. Now, our stocking up full and complete. W. T. Wilson, successor to Peeples & Wilson. †

FOR SALE—Miscellaneous.

FOR SALE—JERSEY COW LOTTA CLAY, No. 7545, A. J. C. C. Is 5 years old. Apply to P. G. Turner, Superintendent Orphans' Home, Decatur, Georgia. tf

WANTED—Boarders.

BOARDERS WANTED—FIRST CLASS BOARD, elegantly furnished rooms, gas, running water and all conveniences. Terms reasonable. Table boarders also wanted at 150 and 152 Whitehall street.

A FEW LADIES AND GENTLEMEN CAN get good board at 49 Luckie st.

PARTIES WISHING BOARD AND ROOMS CAN be accommodated by applying at No. 15 Washington street. Day boarders also. tf

FEATHERS.

WANTED TO BUY—ALL GRADES FEATHERS both new and second hand, at J. C. Fuller's, 67 Broad street, special feather dealer.

MONEY TO LOAN.

MONEY TO LOAN—ELMORE & KROUSE, 20 Peachtree street, make short loans—$5 to $500—on any good security. tf

MONEY TO LOAN IN SUMS OF $5 TO $1,000 on first-class paper or collaterals, at National Loan office, 16½ Whitehall street.

ELMORE & KROUSE ADVANCE MONEY ON property—eight per cent. No commissions. tf

FIVE YEAR LOANS NEGOTIATED ON REAL estate security, by Neisler & Barker, 26 South Pryor street.

MUSIC.

MUSIC FURNISHED FOR PARADES, BALLS, parties, picnics, concerts, commencements etc., whether in city or country by the Atlanta Musical Union on application to C. M. Cady, superintendent. su we 1yr.

MUSIC—STRING AND BRASS FURNISHED for all occasions. Violin, Cornet, Guitar and Piano taught. A. F. Wurm, 4 Foster. tf

FOR SALE—Horses, Carriages, Wagons.

FOR SALE—A GENTLE BUGGY AND SADDLE Horse, young and fine blooded; also a pony phaeton as good as new with pole and shafts and a good set of double and single harness cheap; room 1, 53½ Alabama street.

20 GOOD MULES TO SELL, ENQUIRE 12 Loyd street or Lynch farm 5½ miles from city, Jonesboro road. J. E. Lynch.

BUSINESS OPPORTUNITIES.

BUSINESS OPPORTUNITY—THE PROPRIEtor of a first class paying business in this city desires to dispose of the whole or half interest. Satisfactory reasons. $4,500 required for a half interest. Address until October 20th N. H., this office. tf

FOR SALE—THE GLOBE HOTEL, IN ELBERton. Good paying business. Reason for selling bad health. Terms easy. Address H. C. Edmunds, proprietor. 3t we

MISCELLANEOUS.

OSTRICH FEATHERS, DYED, CLEANED AND curled; feathers dyed in all shades and the latest tints without injury to the feathers, cleaned and curled in the improved manner by I. Phillip, No. 17 North Broad street. wed su

LOST.

LOST—STRAYED FROM W. S. WILSON & CO.'S Coal and Lumber Yard, one Bay Pony, 2½ or 3 years old. A liberal reward will be paid for return of same.

WANTED—Partners.

WANTED—TO FORM A JOINT STOCK COMpany to manufacture an agricultural implement which has an established record in the Northwest—something that every farmer would buy in the entire Southern states. For particulars call on the proprietor and see the machines at 138 Walton street. This opportunity will be for a short time only. A rare chance for a good bargain. tu sa

FOR SALE—Real Estate.

$500 CASH AND THE BALANCE IN 6, 12 and 18 months, will buy a nice new 5 room cottage near west Peachtree street. Elmore & Krouse.

$1500—BEAUTIFUL CORNER LOT, with three streets around it, near Peachtree street. One-third cash, balance six and twelve months. Elmore & Krouse, 20 Peachtree street.

FINANCE AND COMMERCE

BONDS, STOCKS AND MONEY.

CONSTITUTION OFFICE,
ATLANTA, October 16, 1883.

STATE AND CITY BONDS

	Bid.	Asked.		Bid.	Asked.
Ga. 6s	105	106	Atlanta 7s	111	113
Ga. 7s, 1886	103	105	Atlanta 6s	100	102
Ga. 7s gold	112	113	Augusta 7s	108	111
Ga. 7s, 1890	101	103	Augusta 6s	101	103
S. C. (Brown)	102	104	Macon 6s	100	102
Savannah 5s	80	82	Rome, new	102	103
Atlanta 8s	114	116	Columbus 5s	83	85
RAILROAD BONDS.					
Ga. R. 7s	104	106	At. & Char.		
Ga. R. 6s	106	108	inc. 6s	55	55½
Cent. R. 7s	111	113	Atlantic & G.		
C. C. & A. 1st	106	108	con	108	110
At. & Char. 1st	107	104	E. T., V. & G.		
			inc. 6s	28	30
RAILROAD STOCKS.					
Georgia	145	147	Central	95	96
At. & Char.	62	64	Aug. & Sav.	115	117
Southwestern	114	116	At. & W. P.	98	100
South Car.	20	25	C. C. & A.	28	30

By Telegraph.

NEW YORK, October 16.—The bears renewed their assaults on stocks to-day. In the early transactions Northern Pacifics were singled out and declined 1¾ and 3 per cent to 25¼ and 58⅛. Oregon and Transcontinental, on the other hand, was comparatively steady, on the publication of the Endicott report, which shows that Oregon and Transcontinental still holds in its treasury the amount of stocks which the annual statement, issued June 30, calls for, namely: 162,792 shares Northern Pacific, 151,300 Northern Pacific preferred, and 128,530 Oregon Navigation. The stock ranged between 41⅛ and 43. Most of the morning the general list was fairly sustained. Early in the day some shares improved ¼ per cent. In this advance the Vanderbilts were conspicuous. The bears, however, near noon made a vigorous attack on Oregon and Transcontinental, forcing that stock down to 39. After this the various stocks singled out for attack, notably Grangers, Lackawanna, Erie, Louisville and Nashville, Central Pacific, Wabash and Texas Pacific. Oregon and Transcontinental also sold down to the lowest of the day, 38⅛. Near the close there was a rally of ⅛ to 2 per cent, the latter in Central Pacific. In the final transactions another drive was made on the active stocks and the market closed weak. It was rumored to-day that a change in the presidency of the Northern Pacific was imminent; also, that the second mortgage loan had not been placed. Both these rumors were pronounced absurd by members of the bond syndicate. The rumor that Villard is about to resign the presidency is indignantly denied by himself and his most intimate friends, who state that Villard has not sold his Oregon and Transcontinental and Northern Pacific stocks. It was reported that prominent brokers had transferred nearly 20,000 shares of Northwest common into his name during the past few days, and was buying stock to-day. The same broker was a heavy seller of St. Paul. A large amount of seller's options were put out in Northern Pacific preferred at 1½ to 5 per cent below the quotations for stock in the regular way. There was a sharp squeezing in Northern Pacific preferred to-day of 1 16 to 1 per cent per diem for use, while at one time there was a difference of 1¼ to 1¾ per cent between cash and regular stock. Oregon Navigation sold seller at 60 from 112 to 127½, when the regular quotations ranged from 114 to 110. Some stocks were bought in under this rule for non-delivery, including Jersey Central 80 to 80¾, Northern Pacific 25¼. Compared with last night's closing, prices are down ½ to 4½ per cent, the latter for St. Paul. Denver, Michigan Central, Ohio Southern, and Richmond and Danville advanced ⅛ to ⅜ per cent. In specialties, Alton and Terre Haute declined 1 to 35; Chesapeake and Ohio first preferred 2½ to 25; East Tennessee 1 to 3½; East Tennessee preferred ⅞ to 12; Manhattan Elevated 1¾ to 40; Minnesota and St. Louis 1⅞ to 18⅛; Mobile and Ohio 1¾ to 10; Norfolk and Western 3 to 15; Ohio and Mississippi 1⅝ to 27; Oregon Navigation 2 to 79; Pullman Palace 2¾ to 124¾. Evansville and Terre Haute brought 50, last previously reported 40. Transactions 613,881 shares.

Exchange $4.81¼. Money 3@2. Sub-treasury balances: Coin $117,119,000; currency 7,703,000. Government easier; 4½s 114⅜; 4s 121⅛; 3s 100 bid. State bonds dull.

Ala. Class A 2 to 5	81	Manhattan Ele.	41¼
do. Class A small	†83	Memphis & Char'n.	40
Ala. Class B 5s	99	Metropolitan Ele.	91
do. Class C 4s	81¼	Michigan Central	78⅝
Georgia 6s	†102	Mobile & Ohio	10
Georgia 7s mort'ge	†104	N C & St L	53
Georgia do gold	†16	New Jersey Central	79¼
Louisiana console	71½	N. O. Pac. 1st mort.	†81
North Carolina old	30	N Y Central	114⅛
North Carolina new	†6	N Y Elevated	†5
do. funding	10	Norfolk & W'n pre.	40
do. special tax	4	Northern Pac. com.	26
S C con brown	103½	do. preferred	60⅝
Tennessee 6s	38	Ohio & Miss.	27½
Tennessee new	†40	do preferred	‡90
Virginia 6s	†36	Pacific Mail	36½
Virginia consols	†41	Pittsb'g F W & C.	†135½
Virginia deferred	6	Quicksilver	5
Adams Express	130	do preferred	25
American Mer Ex.	89	Reading	49
Chesap'ke & Ohio	13½	Rich & Alleghany	3
Chicago & Alton	130	Richmond & Dan	54¾
Chicago & N. W.	117¾	Rich & W Pt Term.	27⅞
do preferred	13	Rock Island	116½
C St L & N O	83	St L & San Fran	22⅛
Consolidated Coal	20	do preferred	43¾
Del. Lack & West	113⅝	do first preferred	85
Den. & Rio Grande	23¾	St Paul	94½
Erie	28¼	do preferred	115
East Tenn railroad	6⅞	Texas Pacific	20⅛
Fort Wayne	130½	Union Pacific	86¼
Hannibal & St Joe	†40	United States Ex.	58
Harlem	190	Wab St L & Pacific	17¼
Houston & Texas	†55	do preferred	30¼
Illinois Central	126	Wells & Fargo	115
Lake Shore	97⅝	Western Union	78⅜
L & N	45⅜		

†Bid. ‡Ex-dividend *Offered ‡Asked

THE COTTON MARKET

CONSTITUTION OFFICE,
Atlanta, October 16, 1883

New York—For the past few days cotton has been gradually sinking lower. The opening this morning developed a loss for futures, but during the forenoon the market remained steady. Early in the afternoon prices went up a little, but the subsequent weakening in the tone caused a general decline. Spots steady with prices lower; middling 10 9-16c.

Net receipts for three days 121,197 bales against 120,811 **bales** last year; exports 70,227 bales; last year 75,109 **bales**; **stock** 559,160 **bales**; last year 381,921 **bales**.

Below we give the opening and closing quotations of cotton futures to-day:

OPENED		CLOSED	
October	10.45@10.48	October	10.45@10.47
November	10.50@10.51	November	10.48@10.49
December	10.59@10.60	December	10.58@
January	10.74@10.75	January	10.72@
February	10.88@10.89	February	10.87@
March	11.02@11.03	March	11.00@
April	11.14@11.15	April	11.11@11.12
May	11.26@11.27	May	11.23@11.24
June	11.37@11.38	June	11.33@11.35
July	11.46@11.48	July	11.43@11.45

Closed weak: **sales** 121,600 bales

Liverpool — **Futures closed** firm. Spots — Uplands 5 15-16d; **Orleans** 6 1-16d; sales 8,000 bales, of which 6,650 **bales were American; receipts** 8,850; American 4,200.

The day passed off without bringing about much change in the condition of the local cotton market. The tone continues quiet accompanied by a feeling of weakness, which has resulted in lowering quotations 1-16c. Receipts continue heavy, and the blocked condition of the market causes no little annoyance on the part of the merchants. At the close spots ruled as follows: Good middling 9 15-16c; middling 9 13-16c; strict low middling 9 11-16c; low middling 9 9-16c; strict good ordinary 9 7-16c; tinges 8¾c; stains 8¾@9½

The following is our statement of receipts and shipments for two days:

RECEIPTS.

By wagon	570
Air-Line Railroad	625
Georgia Railroad	1,002
Central Railroad	824
Western and Atlantic Railroad	473
West Point Railroad	504
E. Tenn., Va. & Ga.	342
Georgia Pacific	467
Total	4,807
Receipts previously	48,858
Total	53,665
Stock September 1	3,441
Grand total	57,106

SHIPMENTS.

Shipments two days	2,707
Shipments previously	33,673
Local consumption since September 1	1,470
Total	37,850
Stock on hand	19,256

The following is our comparative statement:

Receipts for two days	4,807
Same days last year	3,288
Showing an increase of	1,519
Receipts since September 1	53,665
Same time last year	27,467
Showing an increase of	26,198

NEW YORK, October 16—The Post's cotton market report says: "Future deliveries, at the first call, sold at a decline of 2@4-100, and at the second call 2@3-100 above yesterday's closing quotations. Then the advance was all lost again and several points in addition; so that at the third call December was bought at 10.59@10.58, January 10.73, February 10.87 @10.88, March 11.01, April 11.35. Futures closed easy, October and November 4@5-100 and the balance 6-100 lower than yesterday."

By Telegraph.

LIVERPOOL, October 16—noon—Cotton dull and easier: middling uplands 6; middling Orleans 6⅛; sales 8,000 bales; speculation and export 1,000; receipts 8,850; American 4,200 uplands low middling clause October delivery 5 56-64 October and November delivery 5 55-64; November and December delivery 5 54-64, 5 53-64; December and January delivery 5 54-64, 5 53-64; January and February delivery 5 56-64, 5 55-64; February and March delivery 5 57-64; March and April delivery 5 61-64, 5 60-64; April and May 6; May and June 6 3-64; July and August delivery 6 6-64; futures opened quiet.

LIVERPOOL, October 16—1:30 p. m.—Middling uplands 5 15-16; middling Orleans 6 1-16, sales of American 6,650 bales; uplands low middling clause October delivery 5 55-64; October and November delivery 5 54-64; April and May delivery 5 63-64.

LIVERPOOL, October 16—3:30 p. m.—The Manchester market dull and lower especially for yarns.

LIVERPOOL, October 16—4:30 p. m.—Uplands low middling clause October and November delivery 5 55-64; November and December delivery 5 54-64; December and January delivery 5 54-64; January and February delivery 5 56-64; March and April delivery 5 61-64.

LIVERPOOL, October 15—5:00 p.m.—Uplands low middling clause October delivery 5 58-64, 5 59-64; October and November delivery 5 57-64; November and December delivery 5 55-64; December and January delivery 6 55-64; January and February delivery 5 55-64; February and March delivery 5 59-64, 5 60-64; March and April delivery 5 63-64; May and June delivery 6 6-64; futures closed firm.

NEW YORK, October 16—Cotton steady; middling uplands 10 9-16; middling Orleans 10 13-16; sales 1,200 bales; net receipts 23; gross 7,654; consolidated net receipts 31,627; exports to Great Britain 7,194; to continent 9,325.

GALVESTON, October 16—Cotton easy; middling 10 5-16; low middling 9 15-16; good ordinary 9 7-16; net receipts 2,097 bales; gross 2,097; sales 505; stock 88,919; exports to continent 4,525.

NORFOLK, October 16—Cotton quiet; middling 10¼; net receipts 5,325 bales; gross 5,326; sales 1,130; stock 29,100; exports coastwise 2,395.

BALTIMORE, October 16—Cotton firm; middling 10½; low middling 10⅛; good ordinary 9½; net receipts 96 bales; gross 351; sales —; stock 9,324; sales to spinners 146.

BOSTON, October 16—Cotton steady; middling 10⅝; low middling 10⅛; good ordinary 9⅞; net receipts 256 bales; gross 2,416; sales none; stock 3,605.

WILMINGTON, October 16—Cotton steady; middling 10; low middling 9⅝; good ordinary 9; net receipts 1,193 bales; gross 1,193; sales none; stock 15,356.

PHILADELPHIA, October 16—Cotton firm; middling 11; low middling 10⅛; good ordinary 9⅝; net receipts 38 bales; gross 38; stock 4,162.

SAVANNAH, October 16—Cotton easy; middling 10; low middling 9½; good ordinary 9¼; net receipts 7,372 bales; gross 7,575; sales 4,100; stock 82,227; exports to continent 4,800; coastwise 5,125.

NEW ORLEANS, October 16—Cotton easy; middling 10 5-16; low middling 10⅛; good ordinary 9¾; net receipts 9,218 bales; gross 13,635; sales 4,500; stock 130,503; exports to Great Britain 4,480

MOBILE, October 16—Cotton weak; middling 10⅛; good middling 9⅞; good ordinary 9¼; net receipts 1,930 bales; gross 2,023; sales 1,000; stock 15,049; exports coastwise 1,190.

MEMPHIS, October 16—Cotton quiet; middling 10⅛; good middling 9⅞; good ordinary 9¼; net receipts 1,676 bales; gross 1,676; shipments 2,695; sales 1,850; stock 28,724; sales to spinners —.

AUGUSTA, October 16—Cotton dull; middling 9 13-16; low middling 9⅝; good ordinary —; net receipts 1,6 8 bales; shipments none; sales 616.

CHARLESTON, October 16—Cotton very quiet; middling 10¼; low middling 9⅞; good ordinary 9½; net receipts 4,078 bales; gross 4,078; sales 600; stock 71,694.

PROVISIONS, GRAIN, ETC.

CONSTITUTION OFFICE,
Atlanta, October 16 1883

The following quotations indicate the fluctuations on the Chicago board of trade to-day:

	Opening.	Highest.	Lowest.	Closing.
WHEAT.				
November	93⅝	93¾	92⅝	93⅜
December	94	95⅛	94	95
PORK.				
October	10 20	10 25	10 20	10 25
November	10 20	10 30	10 20	10 30
January	10 65	10 75	10 65	10 75
CLEAR RIB SIDES.				
October	6 52½	6 52½	6 20	6 20
November	5 62½	5 65	5 60	5 65
January	5 50	5 52½	5 47½	5 52½

Flour, Grain and Meal.

ATLANTA, October 16—Flour—Steady; patent process $7.00@$7.50; choice $6.25@$6.50; extra family $6.00@$6.25; family $5.00@$5.50. Wheat—Chicago—The market opened lower this morning but revived during the day, and toward the close a general reaction took place which closed the months as follows: October 92, November 93⅝, December 95. The local market steady; No. 2 Tennessee and Kentucky $1.16; no demand for No. 3; no Georgia wheat being received. Corn—Steady at quotations; white car lots, bulk, 70c; car lots sacked 72c; smaller quantities 75c. Meal—75c. Oats—Car lots bulk 39½c. Wheat Bran—95@$1.00. Grits—$3.85 ℔ barrel.

BALTIMORE, October 16—Flour quiet; Howard street and western superfine $3.25@$3.65; extra $3.75 @$4.75; family $5.00@$6.00; city mills superfine $3.00 @$3.75; extra $4.00@$6.25; Rio brands $5.75@$6.00. Wheat, southern steady and quiet; western about steady; southern red $1.07@$1.10; amber $1.11@$1.15; No. 1 Maryland $1.14½@$1.15; No. 2 western winter spot and October $1.06½@$1.06¾. Corn, southern firm and quiet; western dull and nominal; southern white 64@67; yellow 63@64. Oats quiet and steady; southern 35@39; western white 37@39; mixed 35@36; Pennsylvania 36@39.

NEW YORK, October 16—Flour, southern quiet; common to fair extra $3.90@$5.10 good to choice $5.15@$6.62½. Wheat, winter on spot held very firm and in some cases a shade higher; No. 2 spring nominal; ungraded red 90@$1.12½; do. white 94@$1.15; No. 2 red spot $1.10⅝@$1.11; October $1.08⅝. Corn, spot a shade lower; ungraded 50½; No. 2 spot 58¾ @59; October 58⅝@58⅞. Oats a shade easier, closing firm; No. 3 41¾. Hops firm; new 20@25.

LOUISVILLE, October 16—Flour unchanged; extra family $3.25@$3.50; A No. 1 $4.00@$4.50; high grades $6.25@$6.75. Wheat firm; No. 2 red winter $1.02. Corn firm; No. 2 white 53⅞; No. 2 mixed 53. Oats firm; mixed western 30@33.

CINCINNATI, October 16—Flour unchanged; family $4.80@$5.50; fancy $5.25@$5.75. Wheat steady; No. 2 red winter $1.04@$1.05 cash. Corn easier; No. 3 mixed 51 cash. Oats firm at 30@30¼ cash.

ST. LOUIS, October 16—Flour firmer but not quotably higher. Wheat higher but inactive; No. 2 red fall $1.06⅝@$1.06¾ cash. Corn steady and firm; 46⅛@46⅞ cash. Oats firm but slow at 27 cash.

Miscellaneous.

ATLANTA, October 16—Lime—Market firm but steady. In car load lots, free on cars in Atlanta, $1.00; less than car-loads $1.10; Rosendale cement $2.50 ℔ bbl or 300 lbs neat; Louisville cement, car-load lots $1.75; less than car-load $1.25@$2.50; Portland cement, car-load lots, $4.75; less than car-load $5.00; Howard cement car lots $1.35; do. retail $1.75; plaster-of-paris ("calcined,") car-load lots, $2.50; in smaller quantities $2.75@$3.00; land plaster ("new fertilizer") car-load lots $2.50 ℔ bbl; less than car-load $2.75@$3.00; marble dust in lots $3.00@$4.00 ℔ bbl.

ATLANTA October 16—Leather—Jobbers report trade unprecedently active, and the movement of goods thus far are extremely satisfactory. The tone of the general market is firm but steady; damaged No. 1, 25; do. No. 2, 22@24; good stamp 28 medium good stamp 27; L. W. good stamp 26; white-oak sole 38@42; harness 25@40.

ATLANTA, October 16—Paper—Trade is active; prices steady. Manilla No. 1 10@12c ℔ lb; No. 2 7½ @8c ℔ lb; No. 3 6¼@7c ℔ lb, good wrapping 4@6c ℔ lb; straw 3¼@3¾c ℔ lb; burlap bags, 2 bushels, 8¼@ 9½c; second-hand 5@7¼c; bran bags 11½@14½c.

ATLANTA, October 16—Hides—Market quiet at former prices; dry flint 13; dry salt 11½; damaged D salt 10; wet salted 7; damaged W salted 6. Season over for fur skins.

ATLANTA, October 16—Hay—Timothy, car lots $18.00@$19.50 per ton; small quantities $20.00; mixed hay $16.00@$17.00; clover $17.50@$18.00.

ATLANTA, October 16—Plastering Hair—Active; Georgia 20@25c ℔ bush; western 25@30c; laths, car-load, $2.50 ℔ M; less quantities $2.75 ℔ M.

ATLANTA, October 16—Wool—Remarkably dull; quotations unchanged; washed 30; unwashed 18@20; burry 12@15.

ATLANTA, October 16—Salt—Ground Liverpool $1.10; Virginia $1.10@$1.25.

ATLANTA, October 16—Tallow—7@7¼.

Groceries

ATLANTA, October 16—Coffee—Firm and higher; Rio 10@13c; old government Java 22@28. Sugars—Quiet at lower prices; standard A 9¾; granulated 9⅝; white extra C 8¾; no New Orleans sugars on the market. Molasses—Black strap, 23@25 in barrels. Syrup—Choice 60; strictly prime 55@58; prime 50@52; commons 35@40. Teas—Black 40@60; green 40@60; nutmegs $1.15; cloves 55; allspice 18; cinnamon 25; saigon 50; African ginger 10; mace $1.25; pepper 18. Crackers—milk 7½c; Boston butter 8c; pearl oyster 7½c; X soda 5½c; XX do. 5½c, XXX do. 6. Candy—Assorted stick 11½c. Mackerel—The market is almost destitute of Nos. 1 and 2; the high range of prices keep buyers off; No. 3 is plentiful with bbls $10; ½ bbls $4.5 @$5 00; kits 75. Soap—$2.50@$7.00 ℔ 100 cakes. Candles—Full weight 15½. Matches—$2.25; large size $7.00. Soda, in kegs, 4½c; in boxes 5¾. Rice—6@7c.

NEW YORK, October 16—Coffee, spot higher and and; fair Rio, cargoes 12; No. 7 Rio November 9.50@ 9.55. Sugar firm but very quiet with no sales reported; fair to good refining 6¾@6⅞; refined dull; C 6¼@6⅞; extra C 7⅜; white extra C 7½; yellow 5⅝@6⅛; off A 7 9-16@8; mould A 8½; standard A 8⅛@8⅜; confectioners A 8⅜; cut loaf 9⅝@9¾; crushed 9⅝@9¾; powdered 8⅞@9; granulated 8⅝; Cubes 8⅜@8⅞. Molasses steady; Cardenos 24 flat; 50-test refining 25½; New Orleans 3 @ 55. Rice firm and in good demand; Patna 5⅛; domestic 5¾@7¼; Rangoon 2½ in bond.

BALTIMORE, October 16—Coffee nominal; Rio cargoes ordinary to fair 10¼@11¼. Sugar dull; A soft 8¾.

CINCINNATI, October 16—Sugar dull and lower; hard refined 9⅜@9⅝; New Orleans 6¼@7¾

Provisions.

LOUISVILLE, October 16—Provisions quiet; new mess pork $12.00. Bulk meats, shoulders 5, clear ribs 6⅛; clear sides 7. Bacon, shoulders 5¾; clear ribs 7@7⅛; clear sides 7¾; hams, sugar-cured 16. Lard quiet; choice kettle rendered 11.

BALTIMORE, October 16—Provisions dull and nominally unchanged. Mess pork $13.00. Bulk meats, shoulders and clear rib sides packed 7@8. Bacon, shoulders 7½; clear rib sides 8¾; hams 16@ 17. Lard, refined 9¼.

CINCINNATI, October 16—Pork quiet at $11.35@ $11.50. Lard in better demand at 7.35. Bulk meats unchanged; shoulders 5¼; clear ribs 5⅞. Bacon quiet; shoulders 6¼; clear rib 7½; clear sides 7⅞.

NEW YORK, October 16—Pork steadily held; new mess spot $11.75. Middles dull and nominal; long clear 7. Lard, spot without much change; prime steam spot 7.70; October 7.65@7.66.

ATLANTA, October 16—Clear rib sides 7⅝c; steady. Bacon—No sugar-cured hams on the market now. Lard—Tierces, refined, 9c.

ST. LOUIS, October 16—Provisions quiet.

Live Stock.

CHICAGO, October 16—The Drover's Journal reports: Hogs, receipts 17,000; shipments 5,000; market weak and 10c lower; packing 4.20@4.60; packing and shipping 4.65@4.85; light 4.50@5.10. Cattle, receipts 9,000; shipments 2,000; fall cattle firm; exports 6.10@6.60; good to choice shipping steers 5.40@6.00; common to medium 4.00@5.25; range cattle weak; Texans 3.60@4.40; Nebraskas 4.50; Wyomings 4.70. Sheep, receipts 3,500; shipments 240; market steady; best grades strong; inferior to fair 2.25@3.00; good 3.60; choice 4.00; Texans 2.00@2.60.

ATLANTA, October 16—We quote: Horses—Plug in fair demand at $80@$175, owing to quality; combination dull at $150@$175; saddle $125@$150. Mules—14-hands $90@$100; 14½-hands $110; 15-hands $120@$125.

CINCINNATI, October 16—Hogs quiet; common and light $3.90@4.75; packing and butchers $4.40@ $4.75.

Wines, Liquor, Etc.

ATLANTA, October 16—Market steady; corn whisky, rectified, $1.00@$1.40; rye, rectified, $1.10@ $1.50; rye and Bourbon medium $1.50@$2.00; fine rectified $1.25@$1.75; New England $1.75@$2.00; St. Croix $4.00; Jamaica $3.50@$4.50; gin, domestic $1.25 @$2.50; imported $3.00@$4.50; Cognac brandy, domestic $1.50@$2.50; imported $5.00@$8.00; copper distilled corn whisky, Georgia made, $1.75; apple and peach brandy $2.00@$3.00; cherry and ginger brandy $1.00@$1.50; port wine $1.50@$6.00, owing to quality; sherry $1.50@$6.00; catawba $1.25@$1.75; scuppernong $1.00@$1.25.

BALTIMORE, October 16—Whisky steady at $1.18 @1.18½.

LOUISVILLE, October 16—Whisky unchanged at $1.13.

CINCINNATI, October 16—Whisky firm at $1.13

ST. LOUIS, October 16—Whisky steady at $1.14

CHICAGO, October 16—Whisky steady at $1.16.

Naval Stores.

WILMINGTON, October 16—Spirits turpentine firm at 36½; rosin firm; strained $1.10; good strained $1.15; tar steady at $1.80; crude turpentine steady; hard $1.00; yellow dip and virgin $1.75@$2.10.

CHARLESTON, October 16—Spirits turpentine quiet and nominal at 38; rosin steady; strained and good strained $1.15.

SAVANNAH, October 16—Turpentine steady; regulars 36½; sales 225 bbls; rosin firm and unchanged; sales 200 barrels.

NEW YORK, October 16—Rosin dull at $1.50@ $1.57½; turpentine steady at 40.

GEORGIA FULTON COUNTY COURT OF ordinary, chambers, October 9, 1883.—To Ellen Garvin, William, Hannah, Margaret, and Catherine Driscoll, of the state of Tennessee, and Daniel Driscoll of the state of Texas, heirs at law of Ellen Driscoll, deceased, Frederick F. Driscoll having, as executor, applied for probate in solemn form of the will of said deceased, you are hereby cited to be and appear at the next November term of the court of ordinary of said county, to be held on the first Monday in said month, as said will of said deceased will then be offered for probate in solemn form.

W. L. CALHOUN,
Oct. 10—17—24. Ordinary.

Notice to Debtors and Creditors.

ALL CREDITORS OF THE ESTATE OF ROBERT E. Wyly, late of Fulton county, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment.

SARAH A. WYLY,
Administratrix.

September 4, 1883. we

TO CONTRACTORS

OFFICE OF COMMISSIONERS OF ROADS AND Revenues of Fulton County, August 16th, 1883. The Commissioners of Roads and Revenues will receive proposals to lay granite flagging on the area yard and pavement around the court house building until 10 o'clock a.m. Wednesday, the 17th day of October, 1883. Plans and specifications to be seen at this office. The county reserves the right to reject any and all bids.

JOHN T. COOPRR,
Clerk Com. R. and R

THROUGH THE CITY.

A GLIMPSE OF CURRENT EVENTS IN ATLANTA.

The Day's Doings in Public Offices—The Record of the Courts, the Railroads and the Hotels—Real Estate Operations—Gossip of All Kinds—Items of General Interest, Etc.

The city court will convene Monday week.

The police have been armed with their new revolvers. They are the improved Colt, 41 calibre.

The governor has commissioned R. T. Williams to be judge of the county court of Appling county.

The city council will meet in special session to-night. The canal question will be the leading topic of the evening.

The finest barroom ever fitted up in Atlanta will occupy a part of the basement of the new Gate City National bank building.

Treasurer Speer has paid the quarterly warrants of $4,000 for the support of the deaf and dumb asylum, at Cave Springs.

The criminal docket will be taken up in the superior court next Monday and continue until the jail is fully delivered.

The Metropolitan street car company has extended its track up Pryor street to the railroad, and has supplied its mules with bells.

Handy Johnson was yesterday arrested upon a warrant charging him with larceny, but a preliminary trial resulted in his discharge.

Captain Barry, on Washington street, is having his residence raised several feet to give it the desired elevation above the amended grade of the street.

The ulster and overcoats were brought from the hiding places yesterday. The day was a decided introduction to winter and it made the coal dealer smile.

Leander New was before Commissioner W. C. Smith yesterday charged with retailing, removing and concealing illicit whisky. He was held in a bond $200.

The residence of Mr. Alex. Bartow, on Glenn street, was entered by burglars night before last and a quantity of wearing apparel and some provisions were abstracted.

A moonshiner and his wife, attending on the United States court, went into a city barroom yesterday and joined each other in a couple of comfortable slugs of corn whisky.

Mr. Tom Shivers, the well known locomotive engineer, has been off duty for nearly a week. He was quite ill, but will open the throttle on his engine on the West Point road again to day.

Mr. Henry Marshfield's room on Forsyth street, near the railroad, was entered by a thief yesterday while Mr. Marshfield was absent. A last year's overcoat and several shirts were stolen.

Acting Postmaster Camp is in almost daily receipt of letters from contractors, stonecutters, quarrymen and others, in all parts of the country, asking for information about the new capitol building.

The receiver in the case against Wallace Rhodes has been discharged from further custody of the stock and a settlement has been effected satisfactorily between Mr. Rhodes and his creditors.

Jennie Sockwell, the white woman who was stabbed several days ago in so mysterious a manner that the detectives have not yet been able to find out the wound-be assassin, was much better yesterday, and the probabilities are that she will recover.

Yesterday the governor commissioned the following notaries public: David F. Scales, 1210th district of Banks; William A. Watson, 208th district of Banks; William M. Ash, 265th district of Banks; Isaac W. Alexander, 371st district of Banks.

Ferrill Hill, of Haralson county, was before Commissioner Hoffman yesterday charged with retailing, removing and concealing illicit distilled spirits. He waived a preliminary examination and gave bond for his appearance before the district court.

The protest against the withdrawal of the Manhattan Insurance company from doing business in Georgia and the delivery to it of its deposit of bonds has not been withdrawn. The question stands for decision by the treasurer day after to-morrow, the 19th inst.

The republican county committee has organized for the next campaign by the election of W. D. Moore, colored, as chairman. The commttee passed resolutions pledging allegiance to the party and indorsing the appointment of Major Smyth as postmaster at Atlanta.

Mr. Muller has returned from Lynchburg. He was accompanied by his daughter. Upon his arrival at Lynchburg Mr. Muller was met by friends who showed him every kindness. The meeting between him and his daughter was affecting and kind. The young lady manifested great happiness and was eager to have her father's forgiveness, which was given. Miss Muller expressed great sorrow for what she had done.

At the recent session of the legislature a resolution was passed for the appointment of a commission to decide upon the line between Rabun county, Georgia, and Macon county, N. C. Yesterday the governor appointed W. C. Price on the part of the state of Georgia to act with a commissioner who has been appointed by North Carolina and they will together survey and settle upon the line.

SAVING THE ARCHIVES.

No Steps Yet Taken to Provide a Place of Security for Them.

At the recent session of the general assembly Senator Tom Greer introduced a resolution to authorize the governor to secure a safe and suitable place for the storage of all the archives of the several departments of state that could be dispensed with in the present routine of business. There is a very large accumulation of these ancient records, preserved with great difficulty from the remorseless tooth of time and from the destructive torches of the enemy in the late war. They lumber up the pigeon holes and shelves of the departments and are consulted upon the very rarest occasions. Senator Greer, with a view to giving room in the public offices and providing safety for these archives that cannot be claimed to exist in the present capital building, pressed his resolution to adoption. Governor McDaniel has approved it and it only remains now to properly carry it into effect.

As yet the governor has not taken any positive steps to execute the resolution. He will first have to ascertain from the heads of the several departments a statement of the number and character of the archives in their offices that can be dispensed with; these will have to be properly labeled and a record made of them for ready reference, so that, upon occasion, they may be promptly found and readily consulted.

Another difficulty will to be find a suitable fire-proof and rat-proof storage room of convenient access from the capitol. This will be the hardest part of the work of carrying the resolution into effect. Governor McDaniel may be relied upon to execute its terms with care and judgment.

THE FLORIDA EDITORS.

They Pass Through Atlanta on Their Way to the Louisville Exposition.

Yesterday the Florida press association and about eighty excursionists passed through the city en route to Cincinnati, the Louisville exposition, and the Mammoth cave. The excursion came in at half past one by the East Tennessee, Virginia and Georgia railroad, the train being an hour late. The excursionists traveled in Pullman palace cars. They had but a short time to stay in Atlanta, as they were billed to leave by the State road at half past two. The party embraced a number of prominent Floridians, and the excursionists will make a good showing for the Land of Flowers wherever they go. The excursionists will reach Cincinnati to-day, and will arrive at Louisville to-morrow, which has been fixed as "Florida day," and on that occasion will be the guests of the exposition management, and honored accordingly.

The press association is represented by the following members: J. J. Harris, of the Sanford Journal, president, J. P. Varnum, of the Jacksonville Times-Union, vice-president; D. H. Elliott, of the Florida Dispatch, secretary; Hon. Wilkinson Call and wife, who are guests of the association; James B. Mathews, of the Hawthorn Graphic; James A. Mathews, of the Melrose Pilot; J. B. Griffin, of the Florida Informer; J. B. Lee, Florida Herald; J. H. Billou, Freedman's Journal; T. D. Dawson, Enterprise Herald; George A. Alba, St. Augustine Press; E. T. Griffin, Florida Workman, N. M. Bowen and wife, Tallahassee Floridian; N. Robinson, wife and daughter, Orlando Reporter; B. B. Bennett, Florida Agriculturist; S. B. Thompson, Columbia Star; C. H. Wright, Orange Ridge Echo; R. D. McLeod, Tallahassee Land of Flowers; A. O. Wright, Jacksonville Times-Union; Capers King, South Florida Citizen; C. A. Smith, Gulf Coast Progress; B. J. Allen, Madison New Era; W. H. Simpson, Leesburg News; G. W. Pratt, Palatka Herald; C. C. Bemis, Green Cove Spring; John F. Shecut, Sumpterville Times; L. W. Hamlin, Levy Enterprise; Charles E. Harrison, Tampa Tribune; J. W. Campbell, Florida State Journal; H. H. McCreary, Alachua Advocate; C. L. Fildes, Gainesville Bee; W. McWilliams, Orange Leaf; J. W. Gore, Florida State Journal; Fred. L. Robinson, Brooksville Crescent; L. R. Tuttle, Florida Herald; John B. Johnson, Florida Advocate; E. J. White, Alachua Advocate; C. H. Weber, Times Union; E. M. Carpenter, South Florida Times; H. H. Newsom, Florida Herald; Horace Weller, Florida Churchman; J. C. Craver, Tampa Guardian; D. Redmond and wife, Florida Dispatch.

J. H. Billou, the editor of the Freedman's Journal, is a negro. He was rigged out with a badge, however, and was taking a lively interest in the excursion.

ASKING FOR BAIL.

Barrett, the Man Who Cut Mason, Wants to Give Bond For His Appearance.

Barrett, the young man who stabbed Mason a week ago, was taken before Judge Hammond yesterday afternoon upon a writ of habeas corpus for the purpose of having his bond fixed. Mr. Hoke Smith appeared for the prisoner, and Solicitor General Hill and Mr. Jerome Simmons for the prosecution. Barrett was attended in court by his brothers and his aged mother. She is quite feeble and during her sojourn in the courtroom remained close beside her son. Mason's brother and his son-id-law were also in attendance. The prisoner's confinement has shown itself upon his face. He has changed more within the last week, his friends say, than ever within a half dozen years before.

The prosecution stated to the court that they were hardly ready to proceed with the case. Mr. Smith said that he would not protest against a continuance, but that he hoped an early date would be agreed upon. He declared that his client had remained in jail without any specified charge or warrant against him hoping from day to day that some definite change for the better would occur with Mason so that his client might be admitted to bail. He was informed, however, by the attending physician that Mason might linger in his present condition for even thirty days. That being the case he did not desire his client to remain in jail. But he was willing to wait a day or so if within that time Mason's change would be so pronounced as to determine the exact nature of the warrant to be secured against Barrett. He felt certain if the charge was as grave as murder that the circumstances attending the difficulty between Mason and Barrett would admit Barrett to bail.

Dr. John Westmorelahd, one of Mason's physicians, was present and was called upon to make a statement touching his patient's condition. The doctor declared that a disheartening change had taken place early in the morning, and that Mason was in a precarious condition. However, he might recover. If he rallied from the effect of the hemorrhage of yesterday morning he might remain in an uncertain condition for as much as thirty days. The effects of the hemorrhage, he thought, would manifest themselves within twenty-four hours.

The attorneys then agreed that the writ should be heard Thursday afternoon at 4:00 o'clock, and Judge Hammond set the hearing for that time.

Mason's condition at a late hour last night was exceedingly critical. He was very weak and his death may occur before sunrise. He seemed impressed with the idea that his days are numbered.

A SUDDEN DEATH.

Rev. E. Q. Fuller Drops Dead on Mitchell Street Near the Central Depot.

The Rev. Dr. E. Q. Fuller, pastor of the Northern Methodist church on Marietta street, dropped dead yesterday evening on the Mitchell street pavement near the Central depot. His death was witnessed by several parties. He was walking up the street and when near LaFontaine & Tutwiller's lumber yard was met by Mr. Sam Green, one of THE CONSTITUTION mailing force. Just as the two men met Dr. Fuller began to stagger, and throwing up both hands, grabbed at the fence as if to support himself. Mr. Green observing these actions sprang forward to assist the gentleman, but before he could reach him he dropped to the ground face formost. Mr. Green called for help and a gentleman by the name of Wynn who was near by instantly responded. A glance only was necessary to convince the two that the man upon the pavement was in a critical condition, and Mr. Wynn hastily ran into the planing mill and procured water. When he returned to the prostrate gentleman he was still alive, but he made only two or three efforts to breath which were accompanied with great pain. A messenger was dispatched for a physician, and Dr. J. M. Boring responded, but before he arrived at the place his skill could have done nothing. Dr. Boring recognized the dead man as the Rev. Dr. Fuller, and Coroner Hilburn was sent for.

The body was removed to Swift's undertaking rooms, where an inquest was held and where the body was prepared for burial. The evidence adduced was in conformity with the statement above, and a verdict of death from apoplexy rendered.

Dr. Fuller was about fifty-five years of age. He came to Atlanta in 1868, and was for years the editor of the Methodist Advocate. Since the suspension of that publication he acted as the pastor of the Northern Methodist church on Marietta street. He came from Illinois to Atlanta, and was a man of large family. He leaves a wife and seven children, to whom this sudden death was a great shock. One year ago last May Dr. Fuller had a severe attack of vertigo which came near ending his life. He was then walking along Whitehall street and dropped over. For a long time after that attack his family apprehended his sudden death, but within the last few months those fears were dispelled by his unusually good health. Yesterday morning he arose in as good health as he has enjoyed for months. He spent the greater part of the day with his family, and about 3 o'clock in the evening left home to visit a florist on Simpson street. He was on his return when he died and was carrying in his hand a beautiful boquet which was placed in his casket last night by Undertaker Swift. His remains were taken to his late home, 39 Jones street, last night. No arrangements have yet been made for his burial.

SECOND ART LOAN NOTES.

Director Glenn will have on his day, Saturday of next week, a prize military drill, to be followed by a broom drill by forty young ladies.

The ladies who are to assist on the vice-president's day, the second day of the exhibition, should not forget the meeting at the library to-day at 4 o'clock.

The paintings for the art loan arrived on the the City of Atlanta and the Nacoochee, and will be in town to-morrow. Everything promises to be ready on the opening day, next Tuesday.

CONFEDERATE TREASURE

GENERAL ALEXANDER REPLIES TO CAPTAIN McLENDON.

He Makes a Brief Statement of the Raiding of the Confederate Wagon Train Near Danburg—Five Guard Refuse to Obey When Ordered to Mount and Join Peters's Escape.

General E. P. Alexander reached the city last night and took supper at the Markham. A CONSTITUTION man asked him if he did not have something to say in reference to the article recently published in THE CONSTITUTION by Captain McLendon on the raiding of the confederate treasure train. General Alexander said:

"The matter is so well known that it is hardly necessary to do more than state the leading points, which are that the money in the wagon train, which was raided near Danburg, was not confederate money and never did belong to the confederate treasure or been under the control of the confederate government or any of its military officers. It was not left in charge of any confederate officers in Washington, but was deposited in the vault of the old branch bank of the state of Georgia, which was in the house then occupied by Dr. Robertson, who was the cashier of the branch bank, and it remained in his control until two cashiers of the Richmond banks came for it to take it back to Richmond. The train was raided near Danburg, as described in the article of Captain McLendon, and the bank cashiers only succeeded in getting back some seventy thousand dollars. The only connection that I had in the matter was to go up to Danburg, accompanied by Judge Wm. M. Reese and one of the bank cashiers, to arrest the parties concerned in the raid and bring back the $70,000 that had been collected. I took along five or six ex-confederate soldiers from Washington as a guard. When we reached Danburg one of the cashiers who had remained there advised that we would need a larger force, and we added to the guard some seven or eight citizens of the neighborhood. I arrested five or six of the raiders. After we had arrested them I sent off all of the guard which I had brought from Washington to arrest another party at a house some distance in our rear, and which we had passed. When we were ready to start back to Washington from Mr. Chenault's house we found that the guard which we had collected about Danburg had been persuaded by the friends of the prisoners to leave us and when I called on them to mount none of them mounted and friends of the prisoners, a number of whom had collected, put arms in their hands and it was plain that we could not carry them off without a fight. Judge Reese, who accompanied us to represent the law, was of the opinion that he could give no legal authority for the use of force in carrying out the a rest as the civil authority of all the state officers was suspended. So after a conference between him and the bank cashiers it was decided to release the prisoners on their promise to return what money they could collect. The prisoners asserted that they had raided the train under the impression that the money was confederate treasure, but being convinced that it was private property, they were willing to surrender it. During this conference there was for a moment a prospect of a fight between one of the cashiers and the remaining guard who had come with me from Washington on one side and the prisoners and some of their friends on the other. Pistols and guns were leveled, but on my request to the cashier and guard to wait for orders before doing any shooting the whole difficulty was averted and there was none of the disarming spoken of in the narative of Captain McLendon. Neither was the money which had been collected at the house of Mr. Chenault, but with Judge Reese and the bank cashiers, I went back to Danburg where it had been placed and got it, collecting the rest of the guard on the way. From Danburg we carried the money to Washington, and if we were pursued by any party we were never aware of it. On getting the money back to Washington it was replaced in the vault of the bank, and there all my connection with it ceased, and I never received personally one dollar of it. Of course the matter was very much talked of all over the country, and the federal general, Wilder, already notorious for his harsh conduct toward the citizens of Norfolk, came to Washington and took possession of the money and went to Danburg to endeavor to find more. There he was guilty of all the outrages described in Captain McLendon's narrative without exaggeration. Popular report has it that the money is still in the federal treasury at Washington and the Richmond banks have never been able to recover it."

JONES'S JUGGLER.

Heard From in a Peculiar Way at Washington City, But Not Caught.

Some days ago THE CONSTITUTION published the fact that Professor Butler, the magician and juggler, who made a horse and buggy belonging to W. O. Jones, to suddenly disappear and himself with it, and who, upon being captured, again made himself successfully scarce, had been heard from in Norfolk. A letter directed to him was intercepted and his arrest planned, but he again made good his escape. Postoffice Inspector Sharp was in Norfolk when the telegrams were passed between Acting Postmaster Camp at this point and the Norfolk postmaster concerning the decoy letter. Colonel Sharp understood the situation, but heard no more of the matter until a few days ago, while in Washington city. He was then in the postoffice when a mis-delivered paper was under discussion. It had been mailed to the address which he remembered to have been the one referred to in the Atlanta and Norfolk telegrams. The newspaper had been mailed upon the Norfolk boat, and was directed to a number on Seventh street, Washington, D. C. Inspector Sharp had the paper opened, and inside of it was found a slip of writing paper, on which were pencilled the words:

Look out. The Atlanta detectives are after you.

Inspector Sharp was at once convinced that the much-wanted horse prestidigitator was close at hand and needed prompt attention. He investigated the matter at once, but much to his chagrin, he found that the bird had already taken alarm and flown to parts unknown. He communicated the fact to Acting Postmaster Camp, and there is no further indication of his whereabouts at this writing. His baggage is still held here and will be delivered to him upon his appearing in person and being fully identified.

THE WATER DISCUSSION.

The Erection of Elevated Water Tanks Advocated—A Subject Worthy of Settlement.

EDITORS CONSTITUTION: I note in your last Sunday's issue that you refer to the fact that I advocate the erection of large and elevated water tanks or "stand pipes" for the protection of property in Atlanta from fire. I believe that this is the only solution of the difficulties and dangers which now threaten the property of our city.

The building of a reservoir is practically out of the question, because there is no elevation in or near the city that would afford what is needed: elevated pressure. Elevation is the great essential in the practical use of a reservoir. To construct artificial elevation for a reservoir would entail upon the taxpayers such a cost as would doubtless cause the hairs on the heads of some to stand on end. The impracticability, therefore, admonishes us to abandon the idea. Our "needs are pressing" and the "circumstances are great."

Elevated tanks or "stand pipes," in my judgment, would supply the remedy and at small comparative cost, and can be easily and speedily constructed and out of material within immediate reach.

Let there be four to six of these stand pipes built at once within the fire limits of Atlanta with capacity of not less than 100,000 gallon tanks for water for immediate use at time of fire. Let the towers be, say 110 feet high and the tanks on top of that, and thus you would get a natural pressure that would reach easily the fourth floor of any building within the city limits. What a God send such a supply of water would have been at any of the recent disastrous fires we have had to suffer from! Look about you and see how the property holders are losing their property, their money by fires; see what vast sums of money have been paid out by your only protectors, the insurance companies. Three towers should be built of brick, at least twenty feet in diameter at the base with the walls nearly perpendicular. Let the base be, say threee feet thick, and at the top not less than two feet thick. Build a solid column in the center not less than two feet in diameter, and tie the whole from side to side across the center with railroad iron, (old rails) or timbers, at such distances apart as would answer as stairway to get up and down to keep the whole in order. Leaving port holes in the towers for ventilation and outlook. The object of the column in center to uphold the center of the tank. These stand pipes to have pipes running from them to different points on the streets as the hydrants from the waterworks now are. Through these pipes you will always have instantaneous supply of water for immediate use, and a constant supply from them through connecting pipes from the waterworks, which will fill the tanks as the water is drawn from them. The drain pipes from these stand pipes could be so constructed as to communicate and thus if need be, get the pressure from all for use at a single point. I think such towers and tanks could be built at a cost not exceeding $10,000 each, all told. I get this estimate from the cost of towers and tanks now in use in the city.

As to location, I think there would be no difficulty. The back yard of any lot within the fire limits could be utilized for their construction, and I doubt not but that any property owner would gladly donate the use of as much ground as is necessary in consideration of the protection afforded from immediate proximity of plenty of water to save his building from devouring flames.

The situation is serious—it is alarming; it is such as to call upon every citizen to see to it, and that without delay.

In conclusion, I will ask one or two questions: What has been the result of recent fires in Atlanta? Where are the buildings in which the fires have originated? Where are the contents of said buildings? The last two questions I can answer. They are lost to the owners, or paid for by your very protectors, the dear insurance companies. Let those in authority consider this matter, and not too long either; let them hasten to act. Adopt my suggestion, or a better one. See the end of fires we have had, and it has not been a good time for fires either. See when the cold days come, when all the fires begin to burn, and the winds howl around every corner. "Delay not!"

HUMPHREYS CASTLEMAN.

COTTON AND WEATHER.

COTTON—Middling uplands closed in Liverpool yesterday at 5 15-16; New York at 10 9-16; in Atlanta at 9 13-16.

Daily Weather Report.

OBSERVER'S OFFICE, SIGNAL CORPS U. S. A.
U. S. CUSTOM HOUSE, October 16, 10:31 P.M.

All observations taken at the same moment of time at each place named.

NAME OF STATION.	Barometer.	Thermometer.	Dew Point.	WIND. Direction	WIND. Force.	Rainfall.	Weather
Atlanta	30.41	50	47	E.	High	.01	Lt. rain.
Augusta	30.46	58	...	N. E.	Light	.†	Lt. rain.
Galveston	30.00	78	72	S. E.	Fresh	.23	Clear.
Indianola	29 98	77	74	S. E.	Fresh	.†	Clear.
Key West	30.02	75	...	N. E.	Fresh	.39	Lt. rain.
Mobile	30.16	73	68	S. E.	Fresh	.00	Clear.
Montgomery	30.29	60	52	E.	Brisk	.00	Cloudy.
New Orleans	30.09	76	72	E.	Fresh	.0	Clear.
Pensacola	30.17	70	67	N. E.	Fresh	.84	Clear.
Palestine	...	...	...	...	...	...	...
Savannah	30.35	60	...	N. E.	Fresh	.00	Cloudy.,

LOCAL OBSERVATIONS.

Time of observation.							
6:31 a.m.	30.33	57	52	E.	High	.00	Cloudy.
10:31 a.m.	30.39	54	47	E.	High	....	Cloudy.
2:31 p.m.	30.34	53	57	E.	High	.00	Cloudy.
6:31 p.m.	30.39	51	47	E.	Fresh	....	Cloudy.
10:31 p.m.	30.41	50	47	E.	High	.01	Lt. rain.
Mean daily bar.	30.36			Maximum ther.			66.5
" " ther.	53.5			Minimum "			50.0
" " hu'y.	84.7			Total rainfall			.01

Cotton Belt.

Observations taken at 5 p.m.—Local time.

Atlanta District.	Max Tem	Min Tem	Rain Fall.
Atlanta	66	51	.00
Spartanburg	76	50	.00
Toccoa	75	52	.00
Gainesville	52	43	.00
Dalton	68	56	.00
Calhoun	66	56	.00
Cartersville	69	57	.00
West Point	81	52	.00
Newnan	78	54	.00
Griffin	78	51	.00

DISTRICTS.	AVERAGE		
1 Wilmington	67	51	.00
2 Charleston	74	54	.06
3 Augusta	75	52	.06
4 Savannah	83	64	.03
5 Atlanta	71	52	.00
6 Montgomery	81	52	.00
7 Mobile	82	53	.00
8 New Orleans	84	63	.00
9 Galveston	82	59	.00
10 Vicksburg	81	52	.00
11 Little Rock	71	41	.00
12 Memphis	68	46	.00
Mean of Districts	76 7	53.2	.01

†Rainfall inappreciable

CUMULATIVE CONVICTIONS.

What Johnson Is Likely to Get for His Escapade from Lockett's Camp.

It seems that the convict, Johnson, who led the escape of the four convicts, himself included, from Lockett's works on the Chattahoochee river, about a month ago, has more trouble ahead of him since his recapture. It is proposed to prosecute him now for the several offenses he committed in effecting his escape and during the time that he was out on the dodge.

He already has nineteen years to serve upon his original sentence for murder in Gordon county. He can now be convicted for escaping and sentenced to another term of years for that offense. Then he can be tried for highway robbery in forcibly taking away the gun of the guard whom he encountered at the time of making his escape. He can also be convicted of the burglary of the house which he entered and from which he stole the citizen's clothes, in which he was dressed at the time of his arrest. There is also a statement that he stole and rode some distance the horse of a Carroll county farmer, and that an indictment against him for horse-stealing is likely to be preferred at the next term of the superior court for that county. Should all these things come to pass Johnson will find the political aspect of the country considerably changed from its present status when he once more regains his legal freedom.

FULTON SUPERIOR COURT.

Yesterday's Doings in the Highest Court of the County—A Dull Day.

In Fulton superior court, yesterday, there was little of interest. Judge Hammond presided, and during the day asserted his prerogative to compel attention by imposing a fine of five dollars upon one of the deputy sheriffs. However, the fine was remitted. A non-suit was entered in the case of Miss M. E. Kernoodle vs C. G. Grosse. The other business disposed of was: John A. Whitner vs. John J. Hoffman; appeal; verdict for the defendant. Stocker & Castleberry vs. Western and Atlantic railroad; appeal; verdict for plaintiff for $77.20, with interest. Jos. Smith vs. Hogan & McColgan; verdict for plaintiff for $214 94. Jos. Smith vs. J. W. Hogan; verdict for plaintiff for $134 and interest.

The case of Lockhart vs. the Western and Atlantic railroad was on trial when the court adjourned.

The District Court.

In the United States district court yesterday the following cases were disposed of: John G. Starr, illicit removing, concealing and re-using stamped casks; verdict of guilty; sentence three months, $200 and costs. Matthew R. Stansell, order of admission to practice law. Samuel Medlock, distilling, etc.; acquitted. Absolom M. Findley, distilling, etc.; plea guilty and sentence of two months in jail. Alexander Hodges, distilling, etc.; plea guilty and sentence of $200. Pl Stubbs, working, distilling and retailing; verdict of guilty of working and sentence of one month.

From Prof. Schulhoff, the Great Composer.

DRESDEN, Germany, November 8th, 1880.

MESSRS. KRANICH & BACH—Gentlemen: It gives me great pleasure to inform you that I had the opportunity lately to play one of your instruments (Baby Grand Piano), and was astonished at the brilliancy, power and singing tone. The beautiful, excellently finished instrument is, in all registers throughout the entire scale, evenly balanced. It has the most agreeable touch which I ever found on any Piano. It possesses that modulative ability which enables amateurs as well as artists to produce with great ease the finest pianissimo to the most powerful fortissimo. I cannot recommend the instruments high enough to the musical public. I have the honor to remain, gentlemen, yours very respectfully, JULIUS SCHULHOFF.

Gran's English Opera Company.

The above organization will begin an engagement at DeGive's opera house to-night. They open with Gilbert & Sullivan's popular comic opera, "The Pirates of Penzance." Its song of the "Pirate King," its duetts, its policeman's chorus, in fact, the entire opera, is always listened to with pleasure. Thursday at matinee Audran's lively opera, "Olivette," with its "Sob Song," its "Torpedo and the Whale," the "Waltz" song, its "Bob Up Serenely," and its duetts. Thursday night, "The Mascotte," with its bright and sparkling music, "The Legend of Mascotte," the "Gobble" duett and its "Ourang-Outang" song, with chorus. In speaking of a performance in Richmond, the Dispatch says: "The audience was a fashionable one, but not as full as the merits of the company deserve. The chorus was very good, and the company numbers some very excellent voices. The ladies are young and pretty."

COLUMBUS, Ga.—L. DeGive, Opera House: Gran's opera company playing Pirates to-night. Great satisfaction. Crowded house.
GEORGE J. BURRUS,
Manager Columbus Opera House.

Haverley's Minstrels.

The above organization closed its engagement at De Give's opera house last night, and such is now the strength of the troupe, and the character of the entertainment, that it draws like a porous plaster. The programmes offered were amusing, and the rendition of them admirably well done. As performances in minstrelsy, they were all that could have been asked for. THE CONSTITUTION noticed some of the features of the entertainment in yesterday's issue and space is wanting to enumerate others, now. It is only necessary to say it is an excellent company, well worthy of the praise of the press and patronage of the public.

Secure Your Seats.

Manager Doepp, of the music festival, announces in another column that the sale of single reserved seat tickets begins this morning at DeGive's opera house, all season tickets having been withdrawn. As there is only a limited space apportioned to Atlanta—spaces being allotted to all the neighboring cities—persons desirous of procuring eligible places are advised to secure their reserved seats at once. The sale opens this morning at 10 o'clock in DeGive's opera house.

PERSONAL.

Mr. W. W. McKown has gone to Louisville and Cincinnati on a visit.

Colonel E. P. Speer, long connected with journalism in Georgia, has accepted a position on the staff of the Jacksonville Times-Union.

Mr. J. W. Murphy, Jr., left with Senator Colquitt Sunday evening for "Vireun" Symonds high school at Sing Sing, New York, where he will take a course of study preparatory to entering West Point next year. Georgia has always carried off honors at West Point and Annapolis, and we count specially on young Murphy to stand abreast with the best. He has the energy, talent and courage; a fine physique and good habits and hundreds of older friends will watch his career with pride and interest. Go to the front, young man, and stay there.

Supreme Court of Georgia.

ATLANTA, GA., October 16, 1883.

List of circuits showing the cases remaining undisposed of:

Macon circuit	10	Middle circuit	7
Flint circuit	28	Ocmulgee circuit	8
Coweta circuit	17	Brunswick	10
Rome circuit	10	Eastern circuit	30
Cherokee circuit	19	Northern circuit	8
Augusta circuit	22	Atlanta circuit	48

MACON CIRCUIT.

No. 20. Hall vs. Capital Bank of Macon. Complaint, from Bibb. Argued. W. Dessau; Bacon & Rutherford, for plaintiff in error. Bishops & Hardeman; Hill & Harris, for defendant.

No. 21. Granniss et al. vs. Cubbedge, Hazlehurst & Co. Assumpsit, from Bibb. Argued. Lyon & Gresham, for plaintiffs in error. Lanier & Anderson; L. N. Whittle; Hill & Harris, for defendants.

No. 24. Lathrop & Co. et al. vs. McBurney & Hollingsworth et al. Equity, from Bibb. Argued. Lyon & Gresham; W. Dessau; T. Willingham, for plaintiffs in error. L. N. Whittle; Lanier & Anderson, by brief, for defendants.

No. 25 Mosely vs. Evans et al. Motion to establish lost will, from Bibb. S. H. Jemison, for plaintiff in error. G. T. & C. L. Bartlett, for defendants.

Pending argument of Mr. Jemison, court adjourned until 10 a. m. to-morrow.

Reported Robbed.

Yesterday a man who gave his name as Jos Sullivan and his home as Savannah, reported at police headquarters that he had been robbed the night before of $50 in money and a check signed in bank

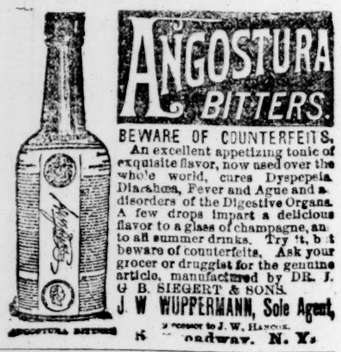
For Perjury.

Judge McCay is after the false swearer again. Yesterday Sol Cofield and Simeon Bowen, two professional witnesses, were committed to jail to await trial on charges of swearing falsely in cases on trial in the United States court.

Trinity Church, 7:30 p.m. Church conference. Special topic—Missions at home and abroad. Meeting holds one hour. All invited.

Publishers' Notice.

The pamphlet decisions of the supreme court of Georgia for February term, 1883, is now ready. For sale at the business office of THE CONSTITUTION Parties who have ordered will receive the copies ordered by mail.



Notice to Debtors and Creditors.

ALL CREDITORS OF THE ESTATE OF TOCcoa I. Cameron, late of Fulton county, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment. September 8th, 1883.
JOHN T. HALL, Executor.